

# Scheme of Delegation

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## Acronyms and Abbreviations

<b>AC</b>	Academy Council
<b>AGM</b>	Annual General Meeting
<b>AoA</b>	Articles of Association
<b>ARC</b>	Audit and Risk Committee
<b>CEO</b>	Chief Executive Officer
<b>EPSC</b>	Education Performance and Standards Committee
<b>FRC</b>	Finance and Resources Committee
<b>IA</b>	Inspire Academy
<b>KPA</b>	Kennington Park Academy
<b>LGB</b>	Local Governing Body
<b>MAT</b>	Multi-Academy Trust
<b>PCA</b>	Park Campus Academy
<b>PLT or the Trust</b>	Parallel Learning Trust
<b>RAC</b>	Regional Academy Council
<b>RHA</b>	Ramsden Hall Academy
<b>SHA</b>	Sutton House Academy
<b>SLA</b>	Service Level Agreement
<b>SoD</b>	Scheme of Delegation
<b>VPA</b>	Victoria Park Academy
<b>WVA</b>	Wandle Valley Academy

## **1. Overview**

This Scheme of Delegation (“SoD”) outlines the core structure and elements of governance in Parallel Learning Trust (“PLT”). It outlines the key levels and groups of governance, as well as the delegated duties assigned to each group. This document should be read in conjunction with the Department for Education’s [Governance Handbook](#), PLT’s Financial Procedures and PLT’s Human Resources scheme of delegation that are available on the PLT website.

As a charity and company limited by guarantee, PLT is governed by a board of directors (with the members of the board being referred to in this document as “Trustees” and the board being referred to as the “Board of Trustees” ) who are responsible for, and oversee, the management and administration of the Trust and the Academies run by the Trust. This SoD applies to all academies for which the Trust is responsible (the “Academies”). Any reference to “the Academies” in this SoD refers to all Academies within the Trust.

### **Members**

Members have the power to appoint Trustees as set out in the Articles of Association (“AoA”). The Members have the power as set out in the AoA to remove all Trustees whether or not the Trustee or Trustees in question was/were appointed by the Members. Members are tasked with ensuring that the Trust’s charitable object. Accordingly, the Board of Trustees submits an annual report on the performance of the Trust to the Members. Members are also responsible for approving any amendments made to the Trust’s articles of association.

#### **Members’ responsibilities are:**

- Acting as the Trust’s guarantors. In practice this means accepting a nominal personal liability of ten pounds should the Trust become insolvent and be wound up.
- Appointing the external auditors.
- Scrutinising the Auditor’s annual report; received from the Chair of the Board of Trustees.
- Scrutinising the Annual Report; received from the Chair of the Board of Trustees.
- Appointing and removing Trustees as set out in the AoA.
- Issuing direction to the Trustees to take a specific action if governance of the Trust by the Board of Trustees becomes dysfunctional.

#### **Members’ powers are:**

- Maintaining the Membership and appointing suitable Members.
- Approving proposed changes to the AoA.

### **Members - Constitution**

- The Trust must have a minimum of three Members
- Dependent on the skills and experience, additional Members may be appointed by the Members.

### **Relationship between Members and Trustees**

Members and Trustees are all unpaid and volunteer their time (with the exception of the CEO); they hold statutory powers that affect the education of children and the careers of staff.

It is important that Members and Trustees have a clear understanding of their respective responsibilities within the Trust.

Contact between the Members and the Academies is expected to be via the Chair of the Board of Trustees.

Members do not concern themselves with the detailed execution of Trustees' responsibilities.

The Board of Trustees responsibilities cover:

- vision and strategic direction
- policy and high-level operational matters.

The Board of Trustees has ultimate accountability for all educational, legal and financial matters. It is answerable to the Secretary of State for Education.

### **Trustees**

The Trustees are the charity trustees (within the terms of section 177(1) of the Charities Act 2011) and are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the memorandum and articles of association. The Board of Trustees is the accountable body for the performance of the Academies and as such must:

1. Ensure clarity of vision, ethos and strategic direction.
2. Hold the executive to account for the educational performance of the Academies and their pupils, and the performance management of staff.
3. Oversee the financial performance of the Trust and make sure its money is well spent.

### **Chief Executive Officer**

The Chief Executive Officer ("CEO") has the delegated responsibility for the operation of the Trust including the performance of the Academies. The CEO is also the Accounting Officer with responsibility for the Trust's financial operation.

### **Executive Head**

An Executive Headteacher carries responsibility for two or more schools, reporting to the CEO.

### **Academy Head**

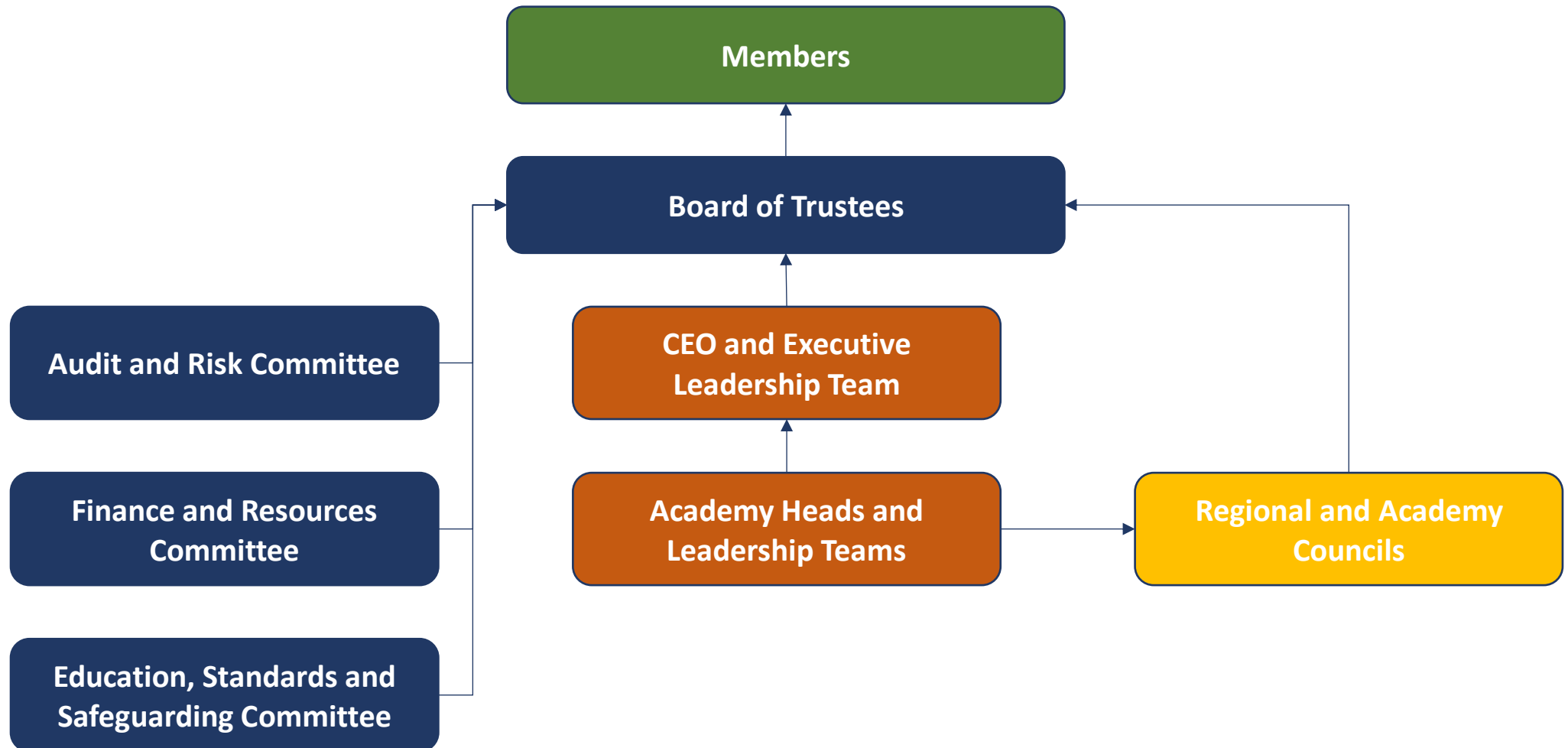
An Academy Headteacher is responsible for the day-to-day management of the related Academy and is managed by the CEO or Executive Headteacher but reports to the Academy Council or Regional Academy Council on matters which have been delegated to them by the Board of Trustees.

### **Academy Council / Regional Academy Council**

The Academy Council ("AC") or Regional Academy Council ("RAC") scrutinises the work of the Academy (or Academies) that fall within their remit on issues that have been delegated to them by the Board of Trustees.

*Figure 1 provides an outline of the governance structure and lines of accountability.*

**Figure 1: Parallel Learning Trust Governance Structure**



## **2. Delegated Roles and Responsibilities**

The Board of Trustees have exercised its power under Article 100 of the AoA to appoint Committees and LGBs as described in Figure1 above and has exercised its powers under Article 104 to delegate such of its powers as it considers desirable to be exercised by each of them. The primary purpose/responsibility of each of them is described below and the Terms of Reference for each can be found in Appendices 2-4. While the Terms of Reference are the definitive statement of their respective remits there is a summary table set out in Appendix 6 which serves as an indication of where responsibilities sit.

It is possible that more than one committee may need to review the same subject matter and the Chairs of each of the Committees are tasked with considering whether any matter brought to their attention should also be brought to the attention of another Committee. In cases of doubt, the Chair or Vice Chair of the Board of Trustees should be consulted.

This section outlines the key responsibilities and duties delegated to them from the Board of Trustees.

### **Audit and Risk Committee**

The purpose of the Audit and Risk committee is:

- Oversight of external audit processes
- Oversight of internal audit across the Trust
- To review of financial management and reporting arrangements
- Oversight of whistleblowing, fraud, bribery and corruption allegations
- Oversight of the risk framework including review of risk registers
- To approve certain Trust-wide policies within the remit of the ARC

### **Finance and Resources Committee**

The purpose of the Finance and Resources committee is:

- The financial oversight of trust expenditure and budgeting (including issues such as procurement and SLAs where material)
- Oversight of the value-for-money statement
- To review the pupil number projections
- Oversight of resources (other than Human Resources) and premises (including charges and lettings when appropriate)
- Remuneration
- To approve certain Trust-wide policies within the remit of the FRC

### **Education Performance and Standards Committee**

The purpose of the Education Performance and Standards committee is:

- Trust-wide curriculum oversight
- Trust-wide safeguarding oversight
- To review of performance data
- To set and review of safeguarding KPIs
- Overview of equity and equalities
- Overview of safer recruitment
- To review staff surveys and feedback
- To approve certain Trust-wide within the remit of the EPSC

### **Academy Councils / Regional Academy Councils**

The purpose of the (Regional) Academy Council is:

- To review financial management
- Overview of the Health and safety and welfare of staff and students



- Overview of the curriculum, including extended curriculum
- Overview of Academy raising achievement plans and development planning
- Local fundraising
- Day-to-day Academy operations
- Safeguarding
- SEN
- Behaviour
- To approve Academy policies

### **Other Groups**

Where deemed necessary and appropriate by the Board of Trustees, the ARC, the FRC, the EPSC or any Academy Council, they may sub-delegate responsibility but not accountability for dealing with any matters within their respective remits to a sub-committee or establish another forum (whether on a permanent or temporary basis) to do so provided that such delegation is not inconsistent with their respective terms of reference.

## **3. Reviews**

### **Self Review - Board of Trustees/AC/RAC**

PLT expects that governance at every level regularly evaluates their own effectiveness.

### **External Reviews of Governance**

An objective independent external review of the effectiveness of the Trust Board /AC/ RACs is a powerful diagnostic tool. This is particularly important before the Trust Board undertakes any significant change – such as significant growth. PLT will arrange an external review of governance at any time to improve the effectiveness of the work of the Trust Board / AC / RACs. PLT will facilitate external reviews of governance as and when required.

## **4. Miscellaneous**

### **General scheme of delegation to Academies**

<b>Delegated Duty</b>	<b>Delegated Authorities</b>	<b>Comment</b>
Admissions	Academy Council	All Academies will follow the Local Authorities admission policies and their own at post 16 taking into account Local Authority admission policies. Each Academy is responsible for their own admissions policy
Health and Safety	PLT and Academy Headteacher	It is the responsibility of PLT to ensure that health and safety laws are adhered to and the appropriate health and safety certificates are in place. The operational compliance of this function will be delegated on a day-to-day basis to the Academy Headteacher and their team.
Permanent Exclusions	Headteacher and Academy Council	All Academies will follow national procedures for permanent exclusions and appeals heard by an Independent Review Panel.
Safeguarding	Academy Headteacher	All Academies will follow PLT's policy on Safeguarding.

### **Dealing with complaints**

The Board of Trustees/RAC/AC each have a duty to consider complaints about the Academy and any community facilities or services that it provides. PLT has a central complaints policy which is published on the website.

### **Whistleblowing**

PLT has central procedures for dealing with whistleblowing. The whistleblowing charity, Public Concern at Work (PCAW), provides support for organisations and confidential independent advice to employees about wrongdoing in the workplace.

### **Excluding pupils**

The Board of Trustees has key responsibilities in relation to reviewing the Headteacher's / Executive Headteacher's exclusion decision and must arrange suitable full-time education for excluded pupils from the sixth school day of fixed-period exclusion. The Board of Trustees has a wider role to hold Headteachers / Executive Headteachers to account for the lawful use of exclusion. Exclusion must be for disciplinary reasons and all exclusions must be done in line with the legal requirements.

PLT is responsible for arranging an independent review panel to consider permanent exclusions, where requested by parents.

### **School attendance**

The Board of Trustees/ AC/ RACs must reassure itself that the Academy keeps admission and attendance registers in accordance with regulations. Further information and guidance is available in the school attendance section of GOV.UK. The Board of Trustees must make sure that each Academy provides information requested by the Secretary of State, including the termly absence data the department collects.

Departmental advice on Children Missing Education is available and the Board of Trustees/ ACs/ RACs must all be aware of the statutory requirements placed on them by the statutory guidance Keeping Children Safe in Education.

### **Use of premises for extended activities and community services**

Academies can accommodate extended and community services. Examples include after-school clubs, adult education, out-of-school childcare (including breakfast clubs and holiday care), and sport and youth clubs. Some schools offer or rent out their facilities to voluntary organisations.

### **Discipline, grievance and capability procedures**

PLT has central procedures for dealing with grievance and disciplinary matters. Capability is part of the Trust's appraisal policy. This policy takes account of the relevant law and guidance.

### **Pay and conditions of service**

Where a maintained school converts to be with PLT, at the point of transfer the existing terms and conditions of teachers and support staff are protected under The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) arrangements. The School Teachers' Pay and conditions (STPCD) will, therefore, remain relevant to any teachers whose contract has not been renegotiated.

The Board of Trustees will adopt and take full responsibility for maintaining, updating and implementing a robust and considered pay policy that:

- sets out clearly the basis on which all decisions that determine pay will be made and communicated to all teachers;

- sets out the extent to which specific functions relating to pay determination will be delegated to others, such as the Headteacher;
- explains the role that the relevant body will play in determining decisions relating to individual teachers;
- fully complies with all relevant aspects of equalities legislation;
- sets the date by which it will determine teachers' annual pay review; and
- establishes procedures for addressing teachers' grievances, in relation to their pay, in accordance with the ACAS Code of Practice.

PLT's Pay Policy has been negotiated and agreed with the unions and conforms to the statutory provisions that are set out within the STPCD. PLT's arrangements for linking appraisal to pay progression are robust and can be applied consistently. (see PLT's Appraisal and Capability policy)

All teachers in PLT are subject to statutory conditions relating to their professional duties and working time. In addition to these statutory conditions, teachers are subject to other conditions of employment laid down in their contracts of employment, such as those that provide for sick pay and maternity leave.

### **General Data Protection Regulation (GDPR) 2018**

The Board has direct responsibility for ensuring that PLT complies with the GDPR and handle personal data in line with it.

GDPR places certain statutory obligations on schools. These include:

- notifying the Information Commissioner's Office (ICO) of the Academy's register entry (name and address of the Data Protection Officer and a general description of how personal information is processed);
- providing a statement or 'privacy notice' to individuals, such as pupils and parents, whose personal data is being processed or held; and
- responding to requests for personal data or 'subject access requests' within 40 calendar days.

### **5. Members/Trustees/AC/RACs' Allowances and Expenses Policy**

The School Governance Rules, Procedures and Allowances (England) Regulations 2013 makes provision for allowances to be paid to AC/RACs or any associate member of maintained schools for expenses incurred in carrying out their duties or responsibilities.

Governing bodies in Academies are free to determine their own policy on the payment of allowances and expenses.

School governance in England is rooted firmly in the principle of voluntary service. The Government is committed to maintaining and promoting this principle for governors of both Academies and maintained schools. This is in line with Charity Law and corporate governance practice in other parts of the public sector.

The decision to pay any allowances and what allowances might reasonably be paid are a matter for the Board of Trustees to decide. Payments will only be made for expenditure necessarily incurred to enable the volunteer to perform their duty as a Member/Trustee/AC member/RAC member. Payments WILL NOT be made for any loss of earnings for attending meetings. Payment WILL NOT normally be made in advance. Payment WILL NOT normally be made for childcare, carers responsibility or translation support.

Anyone from the Board of Trustees wishing to make a claim under this policy should seek prior approval where reasonably possible before making the expenditure to the Chair of the Board of Trustees or the CEO.

Anyone from the Academy Council Hubs wishing to make a claim under this policy should seek prior approval where reasonably possible before making the expenditure to the Chair of the Hub or the relevant Trustee.

AC members /RAC members/ Members/ Trustees will be able to claim for the following:

- The cost of travel may involve public transport and private vehicle.
- The cost of travel by public transport by the cheapest reasonable route, so a balance of cost/convenience. Any journey can involve train, bus, tram or taxi as long as the arrangement is seen as reasonable.
- The cost of travel by private vehicle (car or bicycle) by the shortest reasonable route at the HMRC approved mileage rate.
- Any other justified and approved expenditure.

No payment will be made when a person is already in Academies for meetings concerning their child or transporting their child to or from school. No payment to staff already in the building in relation with their normal work.

A person wishing to make a claim under these arrangements should:

- Obtain prior consent
- Keep receipts where applicable or a print-out if using a travelcard, contactless payment or similar.
- Obtain a claim form from the Academies Office (claim form to be drawn up)
- Submit the claim form and any receipts to the Academies Office for payment.
- Payment where authorised by Chair of AC, will be made by the Academies within 10 days.
- Payments to be made by cheque/BACs.

Any claim will be subject to audit.

## **Appendix 1: Board of Trustees Terms of Reference**

Trustees, collectively, as the Board of Directors, are accountable for PLT. They deliver the three core duties under charity law, hold the CEO to account for the educational performance of the Trust as a whole, its pupils, and the performance management of all staff. They also oversee the financial performance of the Trust and make sure its money is well spent.

### **The core duties are:**

- Duty of compliance – ensuring the charity's resources are used to further its charitable objectives. These will be found in the AoA
- Duty of prudence – ensuring that the charity's assets are protected and used for the benefit of its charitable beneficiaries
- Duty of care – ensuring that the charity is well-run and efficient through care and skill in carrying out the Trustee role, using either one's own skills and expertise or making use of external advice

More information on the role of a charity Trustee is available on the Charity Commission's website (CC3).

### **Also, Trustees as directors are accountable under company law for:**

- Obeying the company's constitution and decisions taken under it
- Acting in the company's best interests and taking everything deemed relevant into account
- Remembering that the Trustee remains responsible for work given to others
- Being diligent, careful and well-informed about the company's affairs and making use of any special skills or experience
- Avoiding conflicts of interest with the company and disclosing potential conflict quickly and early
- Being honest and remembering that the company's property belongs to it and not its members or directors
- Declaring an interest in any proposed transaction or arrangement
- Sections 170 to 177 of the Companies Act 2006.

### **Requirements for the constitution of the Board of Trustees:**

- There must be at least two elected parent governors at either Academy Hub level or on the Board of Trustees. PLT has chosen to have parent governors on the Academy Council / Academy Council Hubs.
- No more than one third of the Board can be employees of the Trust.
- No more than 19.9 per cent of the Board can be local authority associated – i.e. people employed by a local authority (including teachers and head teachers of LA maintained schools) or people who are or have been within the last four years a member of a local authority, where that local authority has a responsibility for education or is a district or parish council where there is a land or other commercial relationship with the Trust;
- The CEO is a Trustee.

### **The Articles of Association covers all other matters**

## **Appendix 2: Audit and Risk Committee Terms of Reference**

### **1. Constitution**

- 1.1. The Board of Directors (the Trustees) of Parallel Learning Trust (the Trust Board) hereby resolves to establish a committee of the Trust Board to be known as the Audit and Risk Committee (the Committee).

### **2. Membership**

- 2.1. The Committee shall have a minimum of three members and a maximum of five members. A majority of Committee members must be Trustees of the Trust Board.
- 2.2. No paid member of staff can be appointed as a member of the Committee.
- 2.3. Subject to paragraph 2.4, the Board shall at the last meeting of each academic year elect a member to act as chair of the Committee (the Chair) for the following academic year. The Committee will elect a temporary replacement from among the members present at the meeting in the absence of the Chair. In accordance with Academy Trust Handbook 2021, section 3.10 states "The Chair of the Trustees should not be the Chair of the Audit and Risk Committee"
- 2.4. No person may act as Chair under paragraph 2.3 unless they are also a member of the Trust Board.
- 2.5. The CEO shall ensure that a clerk is provided to take minutes at meetings of the Committee.
- 2.6. The Committee may invite attendance at meetings from persons who are not Trustees or Committee members to assist or advise on a particular matter or range of issues. Such persons may speak with the permission of the Chair but shall not be entitled to vote.

### **3. Remit and responsibilities of the Committee**

- 3.1. The Committee shall be responsible for the matters set out in the Schedule.

### **4. Proceedings of Committee meetings**

- 4.1. The Committee will meet as often as is necessary to fulfil its responsibilities but at least 3 times a year.
- 4.2. Any two Committee members can request that the Chair convene a meeting by giving no less than 10 working days prior notice.
- 4.3. The quorum for the transaction of the business of the Committee shall be a majority of the Committee members and no vote on any matter shall be taken at a meeting of the Committee unless the majority of members of the Committee present are Trustees of the Trust.
- 4.4. Every matter to be decided at a meeting of the Committee must be determined by a majority of the votes of the members present and voting on the matter.
- 4.5. Each member present in person shall be entitled to one vote.
- 4.6. Where there is an equal division of votes, the Chair shall have a casting vote.
- 4.7. A register of attendance shall be kept for each Committee meeting and published annually.

## **5. Authority**

- 5.1. The Committee is authorised by the Trust Board to:
- 5.2. carry on any activity authorised by these terms of reference; and
- 5.3. seek any appropriate information that it requires from any officer of the Trust and all officers shall be directed to co-operate with any request made.

## **6. Reporting Procedures**

- 6.1. Within 14 days of each meeting the Committee will:
  - 6.1.1. produce and agree minutes of its meetings;
  - 6.1.2. provide a summary document identifying (i) decisions made, (ii) recommendations to the Trust Board, (iii) any items for the information of the Trust Board and (iv) items for further discussion by the Trust Board. (together called the “Committee Reports”).
- 6.2. The Committee Reports can be agreed by Committee members by email.
- 6.3. The Committee Reports will be sent to the Trust Board within 21 days following each Committee meeting.
- 6.4. The Committee shall arrange for the production and delivery of such other reports or updates as requested by the Trust Board from time to time.
- 6.5. The Committee shall conduct an annual review of its work and these terms of reference and shall report the outcome and make recommendations to the Trust Board.

### **External Audit**

#### **Schedule Responsibilities of the Audit and Risk Committee**

1. To consider the appointment of the external auditor and assess independence of the external auditor, ensuring that key audit personnel are rotated at appropriate intervals.
2. To recommend the audit fees to the Trust Board and pre-approve any fees in excess of £10,000 in respect of non-audit services provided by the external auditor and to ensure that the provision of non-audit services does not impair the external auditors’ independence or objectivity.
3. To oversee the process for selecting the external auditor and make appropriate recommendations through the Trust Board to the members of the Trust to consider at any general meeting where the accounts are laid before members.
4. To discuss with the external auditor the nature and scope of each forthcoming audit and to ensure that the external auditor receives the fullest co-operation.
5. To review the external auditor’s annual management letter and all other reports and recommendations, together with the appropriateness of management’s response.
6. To review the performance of the external auditor on an annual basis.
7. To recommend to the Trust Board the appointment / re-appointment of the external auditor.
8. To review and consider the circumstances surrounding any resignation or dismissal of the external auditor.

### **Responsible Officer/Internal Audit**

9. To review the programme and ensure that the function is adequately resourced and has appropriate standing within the Trust.
10. To review the reports and recommendations, together with the appropriateness of management's response.
11. To monitor the implementation of action agreed by management in response to reports from the external auditor and Responsible Officer/Internal Auditor.

### **Financial Management & Policies**

12. To keep under review the Trust's financial management and reporting arrangements, providing constructive challenge (where necessary) to the actions and judgements of management in relation to the interim management and financial accounts, statements and reports and the annual accounts and financial statements, prior to submission to the Trust Board, paying particular attention to:
  - critical accounting policies and practices, and any changes in them
  - decisions requiring a major element of judgement the extent to which the financial statements are affected by any unusual or complex transactions in the year and how they are disclosed the clarity and transparency of disclosures
  - significant adjustments resulting from the audit
  - the going concern assumption
  - compliance with accounting standards
  - compliance with DfE and legal requirements.
13. To review the Trust's policy and procedures for handling allegations from whistleblowers.
14. To review the handling of allegations of fraud, bribery and corruption.
15. To receive reports on the outcome of investigations of suspected or alleged impropriety.
16. To review the handling of non-compliance with relevant regulatory, legal and code of conduct requirements.
17. To ensure that any significant losses are investigated and reported to the DfE where required. To review the adequacy of policies for ensuring compliance with relevant regulatory, legal and code of conduct requirements.
18. To review the Trust's risk management policy, strategy, processes and procedures for the identification, assessment, evaluation, management and reporting of risks.
19. To review the adequacy and robustness of risk registers.
20. To keep under review the adequacy and effectiveness of the Trust's governance, risk management and internal control arrangements, as well as its arrangements for securing value for money, through reports and assurances received from management, the Responsible Officer, the external auditor and any other relevant independent assurances or reports (e.g. from the National Audit Office).
21. To review all risk and control related disclosure statements, in particular the Trust's annual "Statement on Internal Control", together with any associated reports and opinions from management, the external auditor and Responsible Officer, prior to endorsement by the Trust Board.
22. To review any recommendations made by the Secretary of State for Education for improving the financial management of the Academies.



### **General**

- 23. To review or investigate any other matters referred to the Committee by the Trust Board.
- 24. To draw any significant recommendations and matters of concern to the attention of the Trust Board.

## **Appendix 3: Finance and Resources Committee Terms of Reference**

### **1. Constitution**

- 1.1. The Board of Directors (the Trustees) of Parallel Learning Trust (the Trust Board) hereby resolves to establish a committee of the Trust Board to be known as the Finance and Resources Committee (the Committee).

### **2. Membership**

- 2.1. The Committee shall have a minimum of three members and a maximum of five members. A majority of Committee members must be Trustees of the Trust Board.
- 2.2. No paid member of staff can be appointed as a member of the Committee.
- 2.3. Subject to paragraph 2.4, the Board shall at the last meeting of each academic year elect a member to act as chair of the Committee (the Chair) for the following academic year. The Committee will elect a temporary replacement from among the members present at the meeting in the absence of the Chair. In accordance with Academy Trust Handbook 2021, section 3.10 states "The Chair of the Trustees should not be the Chair of the Audit and Risk Committee"
- 2.4. No person may act as Chair under paragraph 2.3 unless they are also a member of the Trust Board.
- 2.5. The CEO shall ensure that a clerk is provided to take minutes at meetings of the Committee.
- 2.6. The Committee may invite attendance at meetings from persons who are not Trustees or Committee members to assist or advise on a particular matter or range of issues. Such persons may speak with the permission of the Chair but shall not be entitled to vote.

### **3. Remit and responsibilities of the Committee**

- 3.1. The Committee shall be responsible for the matters set out in the schedule.

### **4. Proceedings of Committee meetings**

- 4.1. The Committee will meet as often as is necessary to fulfil its responsibilities, this should be 6 times a year.
- 4.2. Any two Committee members can request that the Chair convene a meeting by giving no less than 10 working days prior notice.
- 4.3. The quorum for the transaction of the business of the Committee shall be a majority of the Committee members and no vote on any matter shall be taken at a meeting of the Committee unless the majority of members of the Committee present are Trustees of the Trust.
- 4.4. Every matter to be decided at a meeting of the Committee must be determined by a majority of the votes of the members present and voting on the matter.
- 4.5. Each member present in person shall be entitled to one vote.
- 4.6. Where there is an equal division of votes, the Chair shall have a casting vote.
- 4.7. A register of attendance shall be kept for each Committee meeting and published annually.

## **5. Authority**

5.1. The Committee is authorised by the Trust Board to:

- 5.1.1. carry on any activity authorised by these terms of reference; and
- 5.1.2. seek any appropriate information that it requires from any officer of the Trust and all officers shall be directed to co-operate with any request made.

## **6. Reporting Procedures**

6.1. Within 14 days of each meeting the Committee will:

- 6.1.1. produce and agree minutes of its meetings;
- 6.1.2. provide a summary document identifying (i) decisions made, (ii) recommendations to the Trust Board, (iii) any items for the information of the Trust Board and (iv) items for further discussion by the Trust Board. (together called the “Committee Reports”).
- 6.2. The Committee Reports can be agreed by Committee members by email.
- 6.3. The Committee Reports will be sent to the Trust Board within 21 days following each Committee meeting.
- 6.4. The Committee shall arrange for the production and delivery of such other reports or updates as requested by the Trust Board from time to time.
- 6.5. The Committee shall conduct an annual review of its work and these terms of reference and shall report the outcome and make recommendations to the Trust Board.

### **Schedule of Responsibilities of the Finance and Resource Committee**

This committee has responsibility for the following:

- To review at the end of each academic year whether priorities have been achieved and to make recommendations to the Trustees .
- Establish and review a financial scheme of delegation for approval by the Board.
- Monitor compliance with the PLT finance manual and ESFA Academy Trust Handbook
- Review the budget and the three-year financial plan for consideration by the Board taking account of the PLT priorities prior to its approval.
- Approve the principles for the allocation of funding to the Academies in the AC/RACs
- Review and challenge the Trust's monthly financial information both for individual academies, Central and the overall Trust
- Based upon known data, review the projected number of pupils in the coming years.
- Respond to the Board on financial matters, including any proposals for varying the financial delegation scheme.
- Review all financial projections
- Where appropriate, make decisions in respect of service level agreements ensuring that the principles of best value are followed.
- Consider and respond appropriately to recommendations made by the external and internal auditors
- Review the value for money statement on an annual basis.

#### Premises

- Review the asset plan for the PLT
- Review bids for capital works and planned maintenance as appropriate

#### Remuneration / Staffing

- Monitor and review the allocation of expenditure in respect of staff at the Academies which are the control of the Trust.
- Annually review the staff complement for the Academies and, as appropriate, their duties, grading and remuneration, subject to any overriding statutory provision or negotiated agreements and to any requirements of the PLT including the budget allocated.
- To ensure that an annual salary review of all staff working at the Academy is carried out in line with the pay policy
- To consider any other matters referred to the Sub-Committee by the AC/RACs.

#### General

- Undertake self-review at the end of each academic year to assess whether priorities have been achieved, making recommendations to the Board.

## **Appendix 4: Education Performance and Standards Committee Terms of Reference**

### **Constitution**

- 1.1. The Board of Directors (the Trustees) of Parallel Learning Trust (the Trust Board) hereby resolves to establish a committee of the Trust Board to be known as the Education Performance and Standards Committee (the Committee).

### **2. Membership**

- 2.1. The Committee shall have a minimum of three members and a maximum of five members. A majority of Committee members must be Trustees of the Trust Board.
- 2.2. No paid member of staff can be appointed as a member of the Committee.
- 2.3. Subject to paragraph 2.4, the Board shall at the last meeting of each academic year elect a member to act as chair of the Committee (the Chair) for the following academic year. The Committee will elect a temporary replacement from among the members present at the meeting in the absence of the Chair. In accordance with Academy Trust Handbook 2021, section 3.10 states "The Chair of the Trustees should not be the Chair of the Audit and Risk Committee"
- 2.4. No person may act as Chair under paragraph 2.3 unless they are also a member of the Trust Board.
- 2.5. The CEO shall ensure that a clerk is provided to take minutes at meetings of the Committee.
- 2.6. The Committee may invite attendance at meetings from persons who are not Trustees or Committee members to assist or advise on a particular matter or range of issues. Such persons may speak with the permission of the Chair but shall not be entitled to vote.

### **3. Remit and responsibilities of the Committee**

- 3.1. The Committee shall be responsible for the matters set out in the schedule.

### **4. Proceedings of Committee meetings**

- 4.1. The Committee will meet as often as is necessary to fulfil its responsibilities but at least 3 times a year.
- 4.2. Any two Committee members can request that the Chair convene a meeting by giving no less than 10 working days prior notice.
- 4.3. The quorum for the transaction of the business of the Committee shall be a majority of the Committee members and no vote on any matter shall be taken at a meeting of the Committee unless the majority of members of the Committee present are Trustees of the Trust.
- 4.4. Every matter to be decided at a meeting of the Committee must be determined by a majority of the votes of the members present and voting on the matter.
- 4.5. Each member present in person shall be entitled to one vote.
- 4.6. Where there is an equal division of votes, the Chair shall have a casting vote.
- 4.7. A register of attendance shall be kept for each Committee meeting and published annually.

## **5. Authority**

- 5.1. The Committee is authorised by the Trust Board to:
- 5.2. carry on any activity authorised by these terms of reference; and
- 5.3. seek any appropriate information that it requires from any officer of the Trust and all officers shall be directed to co-operate with any request made.

## **6. Reporting Procedures**

- 6.1. Within 14 days of each meeting the Committee will:
  - 6.1.1. produce and agree minutes of its meetings;
  - 6.1.2. provide a summary document identifying (i) decisions made, (ii) recommendations to the Trust Board, (iii) any items for the information of the Trust Board and (iv) items for further discussion by the Trust Board. (together called the “Committee Reports”).
- 6.2. The Committee Reports can be agreed by Committee members by email.
- 6.3. The Committee Reports will be sent to the Trust Board within 21 days following each Committee meeting.
- 6.4. The Committee shall arrange for the production and delivery of such other reports or updates as requested by the Trust Board from time to time.
- 6.5. The Committee shall conduct an annual review of its work and these terms of reference and shall report the outcome and make recommendations to the Trust Board.

## **Schedule of Responsibilities of the Education, Standards and Safeguarding Committee**

- To review outcomes, identifying significant changes in performance, emerging trends and risks in relation to the future performance of each Academy.
- To monitor and advise the Trust Board by written report each term on the following:
  - Data on attainment and achievement for all of the Trust’s academies;
  - School improvement work and leadership;
  - Overall performance of each of the academies;
  - Leadership standards;
  - The Trust quality improvement and intervention strategies and plans;
  - Special Educational Needs (SEN) and inclusion;
  - Partnership working;
  - Community engagement.

## **Safeguarding**

- Ensure that safer recruitment and safeguarding procedures are in place and reviewed on a regular basis.

**Performance Management**

- Ensure that all staff in the Academies receive regular appraisal of their performance in accordance with the PLT Performance Management Policy and to receive a written report about its operation.

## **Appendix 5: Academy Council Terms of Reference**

Each academy may be part of a Academy Council Hub along with other Academies that are geographically linked. The primary responsibility of each hub is to ensure that standards of attainment and achievement by the students of the Academies within it are high and, particularly in the early days of the new academy, improve as quickly as possible. The AC/RACs will account to the PLT Board at least three times per year, with a full report annually, or as required by the PLT, on the performance on the hubs.

The AC/RACs will receive an allocated budget and will have budgetary responsibilities. All maintenance and planned works will be identified by AC/RACs but must be approved by the CEO as outlined in the scheme of delegation.

The PLT will delegate appropriate powers to the AC/RACs as required to enable them to govern the Academies. The AC/RACs will have delegated powers to monitor the Academies at an operational level and to review:

- the day to day management and organisation of the Academies
- the implementation of the decisions of the PLT and the Executive Leadership Team
- performance in relation to targets and standards approved by the PLT
- the implementation of policies monitoring student welfare and behaviour
- the implementation of other policies approved by the PLT
- the implementation of all extended school/academy activities.

The AC/RACs will report to the Board on decisions and will also provide advice and make recommendations to the Board as necessary.

The AC/RACs may further delegate functions to an individual governor and/or the Academy Headteachers.

The AC/RACs takes the strategic role in the day to day governance of the Academies within their hub. Specifically:

- the strategic direction for the Trust and for the Academies will be determined by the Trustees. This will be implemented by each AC/RAC in light of local requirements and the individual characteristics of each academy
- the AC/RAC serves as the “champion” of the Education Charter in each Academy and as “a champion” of the Academy in the locality. The AC/RAC will promote and support each academy in the local community by ensuring that a positive profile is maintained by pupil behaviour, staff professionalism and positive publicity.
- the role of the AC/RAC is to be the “critical friend” of the Academies and to provide both support and challenge to the Headteachers and the Executive Headteachers. The AC/RAC will ensure the highest standards of leadership and management at all levels within the academy by supporting and advising the Headteachers.
- the AC/RAC systematically and regularly monitors, evaluates and reviews the overall impact of the academy and makes suggestions for improvement.



### **Membership and Quorum**

The constitution of the AC/RAC is determined by the Chair of the AC/RAC in conjunction with the CEO and either the Chair or Vice Chair of the Trust Board. The quorum is five Academy Councillors, which must include either the Chair or the Vice Chair.

The Executive Headteachers are ex officio members of the AC/RAC and the Headteachers of the academy are non-voting members.

### **Procedural**

- Implement and monitor PLT policies
- agree procedures to elect new members such as parent governors and staff and non-teaching governors when vacancies arise
- With the exception of the Chair, who is appointed by the PLT, arrange for the recruitment and election of governors
- Submit agendas for all AC/RACs meetings to the PLT at least 7 days in advance of any meeting and copy all minutes of all meetings to the PLT within 14 days of the meeting. Board
- Review the academy prospectus
- Report to parents according to statutory requirements.

### **Financial**

- To ensure that the budgets delegated by the Board are managed within the Trust's scheme of delegation.

### **Safety and Welfare**

To ensure the safety and welfare of all staff and students to include the review and monitoring of all policies to include:

- compliance with DfE Guidance
- compliance with all child protection and SEN requirements
- Working with the local community to embed good practice
- Consideration of the healthy schools agenda.

### **Health and Safety**

To monitor all premises and health and safety issues, to include monitoring the operation of the PLT Health & Safety Policy to include;

- the establishment and monitoring of a local Risk Register
- the Monitoring of Risk Assessment Procedures
- ensure staff Governors & pupils are trained in emergency evacuation procedures.
- Keep under review the Academy's arrangements for first aid provision and to make appropriate recommendations the Headteacher.

### **Standards and curriculum**

- Support the Headteachers and Executive Headteacher to maintain and improve academic standards and performance

- Recognise and celebrate achievement
- Review available data for all the AC/RACs
- To keep under review, information published about the performance of the Academies within the hub to ensure that the statutory requirements are met
- Review the AC/RAC prospectus
- Adopt the policies agreed by the PLT Board of Trustees (central policies)
- Agree attendance targets for overall attendance and those who are persistently absent, in accordance with the appropriate regulations;
- Ensure that the leadership teams within each AC/RAC are implementing best practice, procedures and processes from the Executive Leadership, particularly regarding approaches to Inclusion, provision, curriculum monitoring, assessment and standards.
- Identify a link governor to take a lead role for Safeguarding within each AC/RAC.
- Keep under review how each academy within the hub is performing in terms of attendance, exclusions and behaviour management.
- Determine any necessary approvals in relation to educational visits by students
- Review monitoring reports by all external agencies.

### **Pay Committee**

- AC/RACs should have a committee for the determination of pay within their terms of reference. This committee meets annually in October. There should also be a separate Pay Appeals Committee.
- Meetings of the Pay Committee(s) must be quorate (a minimum of three committee members, or otherwise as determined by the terms of reference) and must be clerked. This may be by the Clerk, or another qualified person but not the headteacher. The role of the Clerk is to minute the meeting, including recording decisions and actions agreed, but not to advise the governors on HR decisions.

Minutes of the Pay Committee will be regarded as confidential (and should be circulated to Pay Committee members and stored securely. Although the School Governance Regulations do not generally prevent the circulation of Committee Minutes to the full AC/RAC information relating to the performance of individual staff should be limited to those who need such information to make pay decisions. It is therefore recommended that the Pay Committee minutes are not circulated to the full AC/RAC. There is however a requirement for the Pay Committee to report its decisions and actions to the full AC/RAC.

## Appendix 6: Delegation of Powers – Summary

✓ = approve; C = consult; A = advise

REF.	TASK	DELEGATION							
		Members	Trust Board	TB: ARC	TB: FR	TB: EPS	CEO	AC/RAC	Academy Head
1. PEOPLE									
1.1	Appointment and removal of members	✓							
1.2	Appointment and removal of trustees	✓	✓						
1.3	Appointment and removal academy council members						✓	✓	✓
1.4	Role descriptions of members	✓							
1.5	Role descriptions of trustees (incl. chair, vice-chair and committees)		✓						
1.6	Role descriptions of academy council members		✓						
1.7	Appointment of trust board chair and vice-chair		✓						
1.8	Appointment and removal of chair and vice-chair of academy councils		✓				✓	✓	
1.9	Appointment and removal of the clerk to the board		✓						
1.10	Appointment and removal of the clerk to the academy councils		✓				✓		
1.11	Appointment and removal of Chief Executive Officer		✓						
1.12	Appointment and removal of finance director		✓				✓		
1.13	Appointment and removal of academy head		✓				✓		
1.14	Agreement and review of academy staffing structure		✓				✓		✓
1.15	Conduct of members	✓	✓						
1.16	Conduct of trustees	✓	✓						
1.17	Conduct of academy council members		✓				C	✓	C
1.18	Performance management of the CEO		✓						

1.19	Performance management of the academy head						✓		
1.20	CEO annual pay award		✓						
1.21	Academy head pay award						✓	C	

✓ = approve; C = consult; A = advise

REF.	TASK	DELEGATION							
		Members	Trust Board	TB: ARC	TB: FR	TB: EPS	CEO	AC/RAC	Academy Head
2. GOVERNANCE SYSTEMS AND STRUCTURES									
2.1	Approval of Articles of Association (NB: Subject to ESFA consent)	✓	C						
2.2	Governance structure of the Trust (incl. committees)	C	✓	C	C	C	C	C	
2.3	Agreement of terms of reference for board committees		✓	C	C	C	C		
2.4	Annual board self-review and skills audit		✓				C		
2.5	Annual committee self-review and skills audit			✓	✓	✓	C		
2.6	Chair's performance (360 review)	C	✓				C	C	
2.7	Agreement of trust restructure (incl. expansion)		✓				✓		
2.8	Agreement and review of trust staffing structure		✓				✓		
2.9	Stakeholder engagement	✓	✓				✓	✓	✓

✓ = approve; C = consult; A = advise

REF.	TASK	DELEGATION							
		Members	Trust Board	TB: ARC	TB: FR	TB: EPS	CEO	AC/RAC	Academy Head
3. PERFORMANCE AND PROCESSES									
3.1	Trust annual performance targets		✓				C		C
3.2	Trust annual performance review		✓				C		C
3.3	Annual report and financial statements		✓		C		C		
3.4	Website updates and monitoring		✓				✓	✓	
3.5	Annual academy council self-review and skills audit		C					✓	C
3.6	Academy annual performance targets		C				✓	C	C
3.7	Academy annual performance review		C			✓	✓	C	C
3.8	Trust risk management function		✓	✓			C	C	
3.9	Trust-wide staff recruitment policies and processes		✓			✓	C		
3.10	Setting of financial scheme of delegation		✓		✓		C		
3.11	Academy budgets		✓		✓		C		C
3.12	Appointment of external auditor	✓	✓	✓					