

# TBAP Trust Board Sub-Committee Structure Terms of Reference Schemes of Delegation



## THE ROLE OF THE TBAP TRUST BOARD AND ITS SUB-COMMITTEES

In accordance with education legislation, principally:

- the Education (School Government) (Terms of Reference) (England) Regulations 2000, as amended by The Education (Pupil Referral Units) (Application of Enactments) (England) Regulations 2007, and,
- the School Governance (Procedures) (England) Regulations 2003, as amended by The Education (Pupil Referral Units) (Management Committees etc.) (England) Regulations 2007, TBAP Trust Board and its Sub-Committees will:
  - act with integrity, objectivity and honesty in the best interests of the schools
  - be open about their decisions and actions

**The TBAP Trust Board and its Sub-Committees will act strategically by:**

- setting the aims and objectives for the TBAP Trust Board
- setting policies for achieving those aims and objectives
- setting targets by which progress towards those aims and objectives can be measured
- reviewing and monitoring progress in achieving the aims and objectives

In all of the above, the TBAP Trust Board and its Sub-Committees will act in accordance with education law and with the any trust deed relating to the schools, and will consider any advice given by the CEO.

The TBAP Trust Board and its Sub-Committees will act as a "critical friend" to the CEO - offering support, advice, a second opinion and help, and also challenging, asking questions and offering constructive criticism when necessary.

### **The Role of the CEO**

The CEO is a Director of The TBAP Trust Board and is a Director of all those Sub-Committees as specified in this document. Where the CEO is not a member of the Committee/Sub-Committee, s/he is entitled to attend every Committee/Sub-Committee meeting unless the regulations state otherwise.

The CEO, as the principal manager for the schools, is responsible for the internal organisation, management and control of the schools; for advising The TBAP Trust Board members; and for implementing the strategic framework. Incorporated in the role of advising The TBAP Trust Board are:

- formulating aims and objectives, for adoption, modification or rejection by The TBAP Trust Board

- formulating policies and targets for The TBAP Trust Board to consider adopting
- reporting to The TBAP Trust Board on progress, at least once per year.

### **Delegation of The TBAP Trust Board's Functions**

Decisions about delegation have been taken by the full TBAP Trust Board and that delegation has been considered in the light of:

- the requirement for The TBAP Trust Board to fulfil a largely strategic function within the schools
- the responsibility of the CEO for the internal organisation, management and control of the schools
- the requirement for the CEO to comply with any reasonable direction of the TBAP Trust members in carrying out a function delegated by The TBAP Trust Board.

### **The TBAP Trust Board's Committee Structure and Terms of Reference**

The individual Sub-Committees are responsible for the functions which have been delegated to them by the full TBAP Trust Board. They operate under their own terms of reference and in compliance with existing legislation, including the Education (School Government) (Terms of Reference) (England) Regulations 2000 and the School Governance (Procedures) (England) Regulations 2003, both as amended.

The TBAP Trust Board will review the establishment, terms of reference, constitution and membership of Sub-Committees at least once a year.

## SUB-COMMITTEE STRUCTURE

The TBAP Trust Board may choose to set up Sub-Committees in whichever way is agreed will be most appropriate to the schools, taking separate areas of responsibility under separate Sub-Committees, or combining several areas under one Sub-Committee.

### THE TBAP TRUST BOARD HAVE CHOSEN THE FOLLOWING MODEL:

1. FINANCE, PREMISES AND HR SUB-COMMITTEE
2. AUDIT COMMITTEE
3. LOCAL ADVISORY BOARD for each academy / freeschool

### TERMS OF REFERENCE FOR ALL SUB-COMMITTEES

<b>Membership: A minimum of three Members</b>	
<b>Quorum: not less than three Members</b>	
<b>Meetings of Sub-Committees will be held at least three times a year.</b>	
<b>Procedures: Sub-Committees shall follow the procedures required by the School Governance (Procedures)(England) Regulations 2003 as amended</b>	
<b>INDIVIDUAL RESPONSIBILITIES</b>	
<b>Chair's responsibilities:</b>	<b>Clerk's responsibilities</b>
To chair meetings	To convene meetings
To set agenda, with reference to the Sub-Committee's terms of reference, and including matters referred by the Joint Management Committee and the CEO	To send agendas to members at least seven clear days in advance (except when matters require urgent attention, as determined by the chair of the Sub-Committee).
To sign the meetings of the last meeting, when approved by the Sub-Committee	To draw up minutes of the meeting To keep on file signed copies of the minutes
<b>The responsibilities of the Chair and the Clerk must not be carried out by the same person on any Sub-Committee.</b>	
<b>GENERAL RESPONSIBILITIES OF ALL SUB-COMMITTEES</b>	
<ul style="list-style-type: none"> <li>• <b>To act strategically</b>, in accordance with the Education (School Government) (Terms of Reference) (England) Regulations 2000, as amended by The Education (Pupil Referral Units) (Application of Enactments) (England) Regulations 2007</li> <li>• <b>To provide</b> regular written minutes of meetings to The TBAP Trust Board , identifying decisions taken or action required, and to keep a signed copy of all minutes available for inspection on request.</li> <li>• <b>To establish</b> a list of policies coming within the area of responsibility of the Sub-Committee and monitor, evaluate and review them regularly</li> <li>• <b>To review</b> the effectiveness of the Sub-Committee and recommend variations to the terms of reference.</li> </ul>	

FINANCE, PREMISES AND HR SUB-COMMITTEE		
MEMBERS	Type of Member / Non-Member	Voting Rights Yes or No
Ms Wendy Fagan	Staff Director	Yes
Mr Seamus Oates (CEO)	Staff Director	Yes
Mr Paul Dix	Member (Chair)	Yes
Mr Andrew Yates	Board Appointed Director	Yes
Ms Marie Thomas	Community Director	Yes
Mr Nathan Crawley-Lyons	TBAP COO	No

DELEGATED RESPONSIBILITIES OF THE FINANCE, PREMISES AND HR SUB-COMMITTEE
<ol style="list-style-type: none"> <li>1. Monitor and review the TBAP Trust Budget Plan, in line with the priorities identified in the School Development Plan (SDP), School Self Evaluation Form (SEF) or Post Ofsted Action Plan, and present to The TBAP Trust Board for approval</li> <li>2. Monitor the budget at least once per term and ensure expenditure stays within agreed limits, reporting significant potential variances to The TBAP Trust Board.</li> <li>3. Identify and approve the allocation of any surplus funds in line with SDP or SEF priorities.</li> <li>4. Monitor compliance with approved financial procedure and consider action required as a result of internal/external audit report</li> <li>5. Ensure that an audit of any voluntary school fund is carried out annually if one exists</li> <li>6. Monitor and ensure the implementation of the Charging and Remissions Policy for non-National Curriculum school activities and review if necessary</li> <li>7. Approve the School Pay Policy and present it to The TBAP Trust Board for approval.</li> <li>8. Review and monitor the implementation of the School Pay Policy</li> <li>9. Observe all statutory and contractual obligations</li> <li>10. Review the salaries and any discretionary allowances of the CEO, and other staff in line with the performance reviews and the School Pay Policy</li> <li>11. Consider any pay assessment appeals, in accordance with the School Pay Policy</li> <li>12. Monitor and review relevant aspects of the Equalities Policy</li> <li>13. Ensure the schools operate within the framework of the Schools Financial Value Standard (SFVS)</li> <li>14. Provide for The TBAP Trust Board on an annual basis, the evidence to allow the full Board to complete the Statement of Internal Control</li> <li>15. Prepare on behalf of The TBAP Trust Board, for its approval on an annual basis, the Best Value Statement</li> </ol>

FINANCE: SCHEME OF DELEGATION TO THE EXECUTIVE HEAD TEACHER
<ol style="list-style-type: none"> <li>1. To authorise expenditure, in line with the schools' financial policy, within the agreed budget plan</li> <li>2. To approve any urgent/emergency expenditure not identified in the agreed budget plan to a limit of <b>£40,000 per quarter</b> in consultation with the Chair of the Finance, premises and HR Sub-Committee and to report said expenditure to the Sub-Committee</li> <li>3. For any urgent/emergency expenditure <b>over £40,000</b> the CEO must have prior approval from the Finance, premises and HR Sub-Committee</li> <li>4. For any urgent/emergency expenditure <b>over £80,000</b> the CEO must have prior approval from the full TBAP Trust Board.</li> <li>5. To adjust the budget plan (process virements), across budget headings including the allocation of contingency funds, in line with the School Development Plan, subject to the following limits: <ol style="list-style-type: none"> <li>a) <b>Up to £40,000</b></li> <li>b) <b>Over £40,000 to £80,000</b> in consultation with Chair of Finance, Premises and HR Sub-Committee</li> <li>c) <b>Over £80,000</b> in consultation with full TBAP Trust Board.</li> </ol> </li> </ol>

## FINANCE: INTERNAL SCHEME OF DELEGATION

### Orders for Goods, Works and Services

1. The following members of staff, in addition to the CEO, are authorised to issue (sign) orders for goods, works and services as specified provided the procurement guidance has been followed and quotes have been obtained or tenders issued as required by the procurement policy. :-

Staff	Type of Order
Executive Headteacher & Head of School	All
COO	All
Senior Leadership members Middle Leaders Cost Centre holders	For goods that Curriculum Areas use, subject to there being sufficient provision within the Curriculum Area Cost Centre (Note: Varying financial limits can be set to aid control).

2. All orders over the value of £5,000 must also be signed by two senior authorising signatories (i.e. from the CEO, Executive Head Teacher, Head of School & COO )
3. All orders must be processed via the Finance Officer using SIMS FMS who shall be responsible for the safe custody and proper use of official orders, maintaining a record of orders and attaching all orders to invoices when they have been paid.

### Payments

4. The following members of staff, in addition to the CEO, are authorised to certify that goods have been received:-
  - a) Executive Headteacher
  - b) Head of School
  - c) COO
  - d) Senior Leadership members
  - e) Middle Leaders
  - f) Finance Officer
  - g) Cost Centre holders
5. The following members of staff, in addition to the CEO, are able to authorise payments:-
  - a) Executive Headteacher
  - b) Head of School
  - c) COO
  - d) Student Services Manager

Note: The authorising officer shall not be the person who ordered or received the goods.

6. The Finance Officer shall be responsible for ensuring that invoices, vouchers and other records are retained and stored in a secure way for 6 years in line with EFA Financial Regulations.

### PAY ASSESSMENT DELEGATION TO CHAIR AND CEO

1. The Chair of The TBAP Trust Board in consultation with the CEO undertake pay assessments and issue salary statements in accordance with the Whole School Pay Policy, and including:
  - a) Recommending the award of additional points, allowances or other financial support benefits or payments
  - b) Correcting factual errors in the assessment

### STAFFING and PERFORMANCE MANAGEMENT

- Draft and recommend the staffing structure of the school, in line with the SDP and any
- Undertake the recruitment and selection of the CEO
- Ensure that all recruitment will be undertaken in accordance with the Safer Recruiting Procedures
- Monitor and review relevant aspects of the **Equality Policy**.
- Monitor and advise on the continuing professional development of staff in line with the educational priorities of the school and the recommendations made by the performance reviewers.
- Implement the **Disciplinary and Grievance Policy and Procedures** adopted by the TBAP Trust.
- Undertake any procedure that comes under the remit of the Board in relation to staff grievance, discipline or dismissal, Sickness Absence Monitoring in accordance with the policies adopted by the TBAP Trust
- Monitor, evaluate and review the **Performance Management Policy** for teaching staff, including (see below)
- The TBAP Trust Chair, and an external advisor appointed by the Board, will carry out the **CEO's Performance Review**.

### STAFFING: SCHEME OF DELEGATION TO THE CEO

- Appointment of all teaching and non teaching staff.

### PREMISES AND HEALTH AND SAFETY

- Ensure that the school /s comply with standards for health and safety on school premises
- Receive and consider a report on health and safety, on an annual basis
- Monitor and review the School Accessibility Plan
- Where the school premises are let to other users, monitor and review the School Lettings Policy and Arrangements
- Ensure that maintenance, decoration, and equipment/furniture renewal is planned and budgeted for.
- Audit & Review the use of the school premises, the equipment and resources and ensure they match the requirements of SDP priorities.
- Oversee site management, cleaning and grounds maintenance
- Oversee site security arrangements and practice and review them periodically
- Consider and determine the need for capital works at the school, in line with the school's SDP and the authority's Asset Management Plan priorities, liaising with the LA, as suitable, and making appropriate use of the school's devolved capital budget

<b>AUDIT COMMITTEE</b>		
<b>MEMBERS</b>	<b>Type of Member / Non-Member</b>	<b>Voting Rights Yes or No</b>
Ms Alexia Featherstonhaugh	Community Director	Yes
Ms Sue Coleby	Board Appointed Director	Yes
Ms Kellie Thomas	Parent Director	Yes
Mr Philip Rham	Member Appointed Director	Yes
Mr Nathan Crawley-Lyons	TBAP COO	No
Ms Deepa Martin	Finance Support	No

<b>DELEGATED RESPONSIBILITIES OF THE AUDIT SUB-COMMITTEE</b>
<ol style="list-style-type: none"> <li>1. To consider matters relating to internal control and auditors</li> <li>2. To receive a report from the responsible officer.</li> <li>3. To monitor the effectiveness of the systems for internal control.</li> <li>4. Review statement of internal control</li> <li>5. To receive and review reports from the Responsible Officer / Auditors and make appropriate recommendations to the Finance Committee.</li> <li>6. Agree and monitor Financial Procedures / Processes</li> <li>7. Consider reports / recommendations from auditors</li> <li>8. Monitor audit recommendations are implemented accordingly.</li> <li>9. Monitor and take responsibility for the Risk Register.</li> </ol>

<b>LOCAL ADVISORY BOARD LAB</b>		
<b>MEMBERS</b>	<b>Type of Member / Non-Member</b>	<b>Voting Rights Yes or No</b>
As per the local academies.	Parent elected by parents of pupils	Yes
	Parent elected by parents of pupils	Yes
	Two community members [appointed by the Directors]	Yes
	Head of School	Yes
<b>DELEGATED RESPONSIBILITIES OF THE LAB</b>		
<p>The LAB will review and report to Directors on the Academy's performance in the following three areas:</p> <ul style="list-style-type: none"> <li>- Outcomes for Learners</li> <li>- Teaching, Learning and Assessment</li> <li>- Personal Development, Behaviour and Welfare</li> </ul> <p>The LAB will report to Directors both generally and specifically as the Directors may require.</p>		