

Board Sub-Committee Structure Terms of Reference Schemes of Delegation

2018 -19



TBAP AP AND SPECIAL ACADEMIES



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1. THE ROLE OF THE TBAP TRUST MEMBERS

Members meet at least once a year and are responsible for:-

- appointing and removing Trustees
- by special resolution appoint or remove Members
- approving accounts
- appointing auditors
- by special resolution change the articles of association
- may by special resolution issue direction to the trustees to take a specific action

2. 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 academies
- be open about their decisions and actions

The TBAP Trust Board and its sub-committees meet at least 4 times a year and will act strategically by:-

- setting policies for achieving the aims and objectives of the Trust , academies and services
- setting targets by which progress towards those aims and objectives can be measured
- reviewing and monitoring progress in achieving the aims and objectives
- the establishment, terms of reference, constitution and membership of sub-committees
- monitoring performance of the TBAP TSA
- monitoring performance of CSS
- holding the CEO to account

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 academies, 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 Trustee of the TBAP Trust Board and is a Trustee of all 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 academies, is responsible for the internal organisation, management and control of the academies; for advising The TBAP Trust Board Members and Trustees; and for implementing the strategic framework.

Incorporated into the role of advising the TBAP Trust Board is:-

- 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 Functions

Decisions about delegation are taken by the full TBAP Trust Board and with the following considerations:-

- a requirement for the TBAP Trust Board to fulfil a largely strategic function within the academies
- responsibility of the CEO for the internal organisation, management and control of the academies
- a 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 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 (Roles, Procedures and Allowances) (England) Regulations 2013, 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

3. COMMITTEE STRUCTURE

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

The committees maintain strategic responsibility for monitoring and reporting on all aspects of HR, Finance, Premises Management and Safeguarding across all TBAP academies and services.

In addition, local and regional advisory boards have delegated responsibility to monitor and report on the performance of academies in terms of:-

1. *Outcomes,*
2. *Quality of Teaching and Learning*
3. *Personal Development Behaviour and Welfare.*

These committees also monitor performance against Ofsted recommendations and local development plans. The committees will report to the Trust Board as required

THE TBAP TRUST BOARD HAVE CHOSEN THE FOLLOWING MODEL:

1. FINANCE, HR AND AUDIT SUB-COMMITTEE
2. SAFEGUARDING AND PREMISES COMMITTEE
3. REGIONAL ADVISORY BOARD for each regional hub
4. LOCAL ADVISORY BOARD for each academy/free school

Please refer to the Governance Structure chart.

4. TERMS OF REFERENCE FOR ALL SUB- COMMITTEES

Membership: A minimum of three members	
Quorum: not less than three members	
Meetings of sub-committees will be held at least three times a year.	
Procedures: sub-committees shall follow the procedures required by the School Governance (Procedures)(England) Regulations 2003 as amended	
INDIVIDUAL RESPONSIBILITIES	
Chair responsibilities:	Clerk responsibilities
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 Board and the CEO	To collate papers and circulate 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 minutes 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
The responsibilities of the Chair and the Clerk <i>must not</i> be carried out by the same person on any sub-committee.	
GENERAL RESPONSIBILITIES OF ALL SUB-COMMITTEES	
<ul style="list-style-type: none"> • To act strategically, 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 • To provide 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. • To establish a list of policies coming within the area of responsibility of the sub-committee and monitor, evaluate and review them regularly • To review the effectiveness of the sub-committee and recommend variations to the terms of reference. 	

5. FINANCE, HUMAN RESOURCES, AND AUDIT (FHRA) COMMITTEE

MEMBERS	Type of member / Non-Member	Voting Rights Yes or No
Mr Andrew Yates	Trustee	Yes
Mr Andrew Carter (Chair)	Trustee	Yes
Mr Laurence Ferrigan	Member appointed staff Trustee	Yes
Ms Sue Coleby	Trustee	Yes
Mr Gus Sekhon	Trustee	Yes
Mr Waqar Mirza	Trustee	Yes
Mr Seamus Oates	CEO	No
Mrs Eileen Harding	TBAP Resources Director	No

DELEGATED RESPONSIBILITIES OF THE FINANCE, PREMISES, HR AND AUDIT SUB-COMMITTEE

1. Monitor and review the Trust's Financial Handbook to ensure that meets the requirements of the Trust Funding Agreements.
2. Monitor and review the TBAP Trust Budget Plan, in line with the priorities identified in the Trust Development Plan and present to The TBAP Trust Board for approval
3. Monitor the budget at least once a term and ensure expenditure stays within agreed limits, reporting significant potential variances to The TBAP Trust Board.
4. Identify and approve the allocation of any surplus funds in line with development plan priorities.
5. Monitor compliance with approved financial procedure and consider action required as a result of internal/external audit report
6. Monitor and ensure the implementation of the Charging and Remissions Policy for non-National Curriculum school activities and review if necessary
7. Approve the Trust Pay Policy and present it to The TBAP Trust Board for approval.
8. Review and monitor the implementation of the Trust Pay Policy
9. Observe all statutory and contractual obligations
10. Review the salaries and any discretionary allowances of the CEO, and other staff in line with the performance reviews and the Trust Pay Policy
11. Consider any pay assessment appeals, in accordance with the Trust Pay Policy
12. Monitor and review relevant aspects of the Equalities Policy
13. Monitor and review the Trust's compliance with the GDPR
14. Ensure the academies operate within the framework of the Academies Financial Value Standard (SFVS)
15. Provide for The TBAP Trust Board on an annual basis, the evidence to allow the full Board to complete the Statement of Internal Control
16. Prepare on behalf of The TBAP Trust Board, for its approval on an annual basis, the Best Value Statement
17. To consider matters relating to internal control and auditors
18. To receive a report from the responsible officer.
19. To monitor the effectiveness of the systems for internal control.
20. Review statement of internal control
21. To receive and review reports from the Responsible Officer / Auditors and make appropriate recommendations to the Finance Committee.
22. Agree and monitor Financial Procedures / Processes
23. Consider reports / recommendations from auditors
24. Monitor audit recommendations are implemented accordingly.
25. Monitor and take responsibility for the Strategic Policy Control Document (Risk Register)

5.1 FINANCE: SCHEME OF DELEGATION

1. To authorise expenditure, in line with the academies' financial policy, within the agreed budget plan
2. To approve any urgent/emergency expenditure not identified in the agreed budget plan to a limit of **£40,000 per quarter** in consultation with the Chair of the Finance, Premises and HR sub-committee and to report said expenditure to the sub-committee
3. For any urgent/emergency expenditure **over £40,000** the CEO must have prior approval from the Finance, premises and HR Sub-Committee
4. For any urgent/emergency expenditure **over £80,000** the CEO must have prior approval from the full TBAP Trust Board.
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:
 - a) **Up to £40,000**
 - b) **Over £40,000 to £80,000** in consultation with Chair of Finance, Premises and HR sub-committee
 - c) **Over £80,000** in consultation with full TBAP Trust Board

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
Resources Director (RD) and Finance Director (FD)	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 authorised by one of the senior authorising signatories (i.e. the CEO, Executive Head Teacher, Head of School, RD & FD)
3. All orders must be processed via PS Financials

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) Resources Director
 - d) Finance director
 - e) Senior Leadership members
 - f) Middle Leaders
 - g) Finance Officer
 - h) 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) Resources Director
 - d) Finance Director
 - e) 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.

5.2 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 Trust 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

5.3 STAFFING and PERFORMANCE MANAGEMENT

- Recommend the staffing structure of the Trust academies and services school, in line with the Trust development plan
- 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**

5.4 STAFFING: SCHEME OF DELEGATION TO THE CEO

- Appointment of all teaching and non-teaching staff

6. SAFEGUARDING and PREMISES COMMITTEE		
MEMBERS	Type of Member / Non-Member	Voting Rights Yes or No
Ms Alexia Fetherstonhaugh	Member/Trustee Chair	Yes
Ms Wendy Fagan	Member appointed staff Trustee	Yes
Mrs Marie Thomas	Trustee	Yes
Mr Phillip Rham	Trustee	Yes
Ms Sarah Roscoe	Executive Headteacher	No
Mrs Karen Thomson	Executive Headteacher	No
Mr Krishna Purbhoo	Executive Headteacher	No
Mrs Eileen Harding	TBAP Resources Director	No
Mr Everol Halliburton	CSS Safeguarding lead	No
DELEGATED RESPONSIBILITIES OF THE SAFEGUARDING and PREMISES SUB-COMMITTEE		
<ol style="list-style-type: none"> 1. Monitor and review policies, guidance, documents and activities relating to safeguarding and promoting the welfare and safety of all pupils, in particular, those children in need, children looked after and children at risk of significant harm 2. Monitor and review Health & Safety policies, procedures and practices to ensure compliance with legislative requirements 3. Review and monitor key statutory requirements and school policies as identified in the Staff Handbook. 4. Report relevant information to the Full Trust Board 5. Standing agenda items <ul style="list-style-type: none"> • Attendance • Reportable Incidents • Safeguarding Reports. • Site Accidents and Recommendations 		
6.1 PREMISES AND HEALTH AND SAFETY		
<ul style="list-style-type: none"> ▪ 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 leased-out 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 <p>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</p>		

7. REGIONAL ADVISORY BOARD (RAB)		
MEMBERS	Type of Member /Non-Member	Voting Rights Yes / No
Chairs of regions LABS	Appointed by Trustees	Yes
Board Trustee for the region	Member appointed Trustee	Yes
Executive Headteacher for the region	Staff	No
DELEGATED RESPONSIBILITIES OF THE RAB		
<p>The Regional Advisory Boards (RABs) will monitor the performance of academies within the region and will hold the regional Executive Headteacher to account for the following areas of regional performance:</p> <ul style="list-style-type: none"> • Outcomes for Learners • Teaching, Learning and Assessment • Personal Development, Behaviour and Welfare <p>The RAB will approve and monitor the regional development plan The RAB will monitor the regional budget The RAB will report to Trust Board as required</p> <p>The RAB will report to Trustees both generally and specifically as the Trustees may require.</p>		

8. LOCAL ADVISORY BOARD (LAB)		
MEMBERS	Type of Member / Non-Member	Voting Rights Yes or No
Head of School	Staff	Yes
Parent Governor x 2	Parent governors	Yes
Community Governor x 2	Two community governors [appointed by the Trustees]	Yes
DELEGATED RESPONSIBILITIES OF THE LAB		
<p>The Local Advisory Board (LABs) will review and report on the academy's performance and hold the Head of School to account for academy performance in the following areas:</p> <ul style="list-style-type: none"> • Outcomes for Learners • Teaching, Learning and Assessment • Personal Development, Behaviour and Welfare <p>The LAB will receive and monitor the local academy development plan and Ofsted priorities. The LAB will report to the RAB as required.</p>		