

# Governance Charter

<b>Category:</b>	Governance Charter
<b>Authorised By:</b>	Board of Trustees
<b>Signed By:</b>	Barry Nolan, Chair of the Trustees
<b>Author:</b>	Susan Douglas
<b>Version:</b>	Governance Charter 2018
<b>Status:</b>	Board of Trustees
<b>Issue Date:</b>	October 2018
<b>Next Review Date:</b>	October 2020

## Key points and summary

This document outlines:

- An overview of the governance arrangements in place at the Eden Academy
- 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
- The respective roles of the Members, Trustees, Trustee committees, the Local Advisory Boards, the Chief Executive, and senior staff at the Academy

# Table of Contents

Key points and summary .....	1
Introduction and statement of intent.....	3
1. Scope and applicability .....	3
2. The Articles of Association.....	3
3. Responsibilities under the Charter .....	4
3.1 Members .....	5
3.2 Board of Trustees.....	6
3.3 Committees .....	7
3.4 Local Advisory Board .....	8
3.5 Delegations to other staff.....	9
Appendix One: Terms of reference for board committees .....	11
a) Finance Committee .....	11
b) Audit Committee .....	13
<b>c) Performance Management Committee .....</b>	<b>15</b>
<b>d) Remuneration Committee .....</b>	<b>16</b>
<b>e) Asset Management CommitteeTerms of Reference .....</b>	<b>17</b>
<b>f) Local Advisory Boards .....</b>	<b>19</b>
1. Decision Matrix.....	21
1. Key .....	21
2. Structure.....	21
3. Financial and Operational Management .....	22
4. Governance .....	25
5. HR & Staffing.....	26
6. Student Development .....	28
7. Board of Trustees .....	29
8. Cabinet.....	29

## **Introduction and statement of intent**

Governance arrangements across the Trust have been established to support the Academy to achieve the following vision:

*The Eden Academy will create a centre of educational excellence where our young people will achieve exceptional outcomes*

All office holders are expected to observe the 7 principles of public life as set out by Lord Nolan (selflessness, integrity, objectivity, accountability, openness, honesty, leadership) and in the DfE Governors Handbook January 2017. In addition, they are expected to be accountable to its stakeholders and regulatory bodies and engage in a partnership with those working for the Trust. In addition, all office holders have a responsibility to undertake such CPD is deemed necessary to ensure they have an up to date knowledge of educational and governance matters.

### **1. Scope and applicability**

This policy outlines the framework for decision making within the Academy Trust. It applies to all Members, trustees, committees and staff members.

### **2. The Articles of Association**

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

- Clause 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. No alteration of the Articles and no such direction shall invalidate any prior act of the Trustees which would have been valid if that alteration had not been made or that direction had not been given. The powers given by this Article shall not be limited by any special power given to the Trustees by the Articles and a meeting of Trustees at which a quorum is present may exercise all the powers exercisable by the Trustees.
- Clause 100 and 101: Subject to these Articles, the Trustees may establish any committee. 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 Advisory Boards) a majority of members of any such committee shall be Trustees. Except in the case of a Local Advisory Board, 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.

- Clause 105: The Trustees may delegate to any Trustee, committee, the Chief Executive Officer or any other holder of an executive office, such of their powers or functions as they consider desirable to be exercised by them. Any such delegation shall be made subject to any conditions the Trustees may impose, and may be revoked or altered.
- Clause 106: Where any power or function of the Trustees has been exercised by any committee (including any Local Advisory Board), any Trustee, the Chief Executive Officer or any other holder of an executive office, 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.
- Clause 107: The Trustees shall appoint the Chief Executive Officer and shall appoint the 3 Directors (executive leadership positions) to the Academy Trust (“the cabinet”). The Trustees may delegate such powers and functions as they consider are required by the Chief Executive Officer and Directors (and through them to the headteachers) for the internal organisation, management and control of the Academy (including the implementation of all policies approved by the Trustees and for the direction of the teaching and curriculum at the Academy).

Functions that can be delegated to a committee but cannot be delegated to an individual include those that relate to:

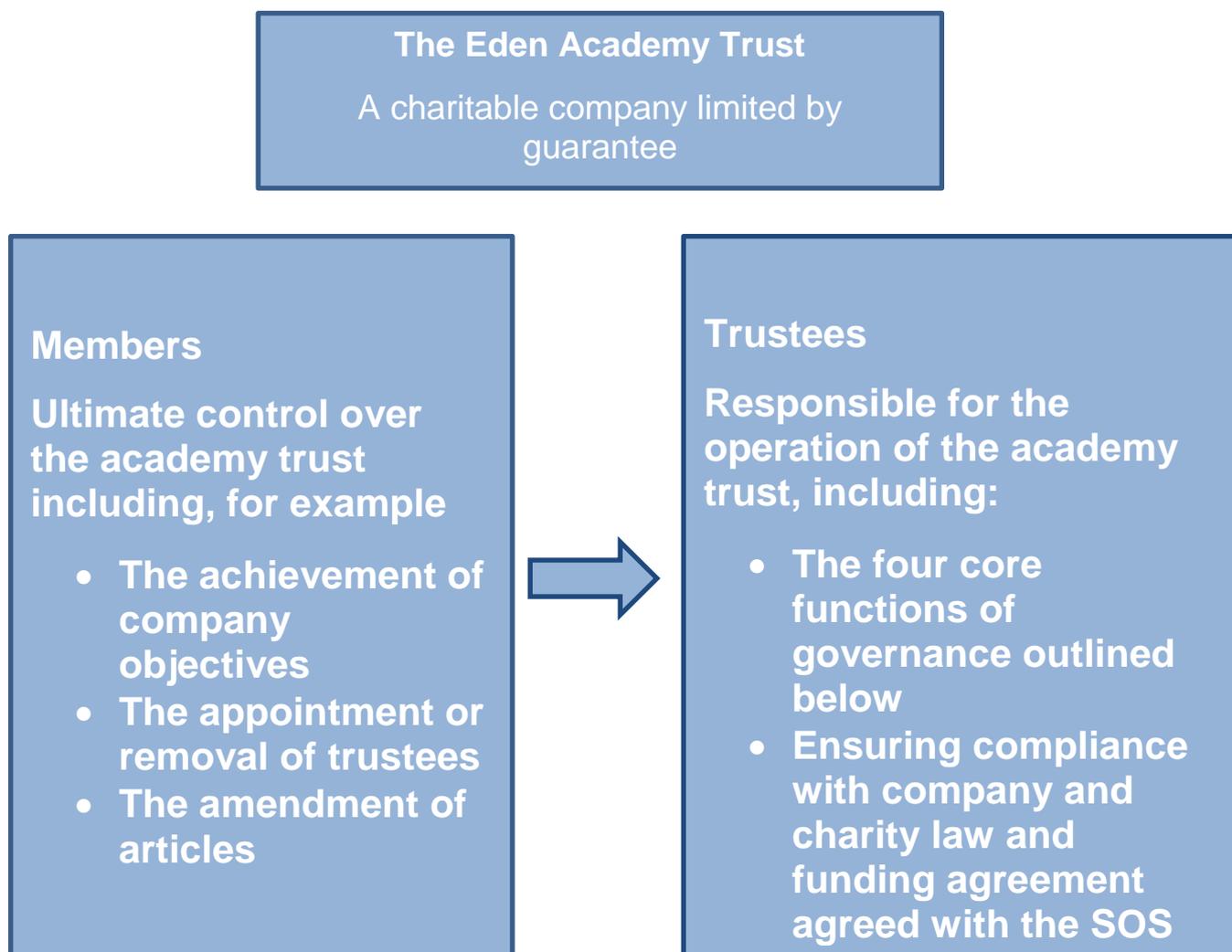
- the approval of the first formal budget plan of the financial year;
- academy discipline policies;
- the exclusion of pupils (except in an emergency when the chair has the power to exercise these functions). In relation to this particular delegation, this is delegated to individual heads (see scheme of delegation).

### **3. Responsibilities under the Charter**

Effective governance at the Eden Academy Trust is led by the following:

- Trust **Members** – the guardians of the constitution

- The Board of **Trustees which is the accountable body**
- Trust board committees including Local Advisory Boards
- The cabinet and senior team – the Chief Executive Officer, the Director for academy development, the Director for schools, the Director for finance and operations and the head/headteachers of each school



### 3.1 Members

The Eden Academy members are best viewed as guardians of the constitution, changing the articles if necessary and ensuring the charitable object is fulfilled. Members

- are signatories to the articles of association which includes definition of the trusts' charitable object and governance structure,
- may, by special resolution, amend the articles of association, subject to any restrictions created by the trust's funding agreement or charity law;

- may, by special resolution (which requires 75% rather than a simple majority of Members to agree) appoint new Members or remove existing Members other than, where there is one, the foundation/ sponsor body and any Members it has appointed;
- have power to appoint Trustees as set out in the trust's articles of association, and have power under the Companies Act to remove any or all serving Trustees;
- may by special resolution issue direction to the Trustees to take a specific action;
- appoint the trust's auditors and receive the trust's annual audited accounts; and
- have power to change the name of the charitable company and ultimately, wind up the academy trust.

Members will meet once a year for an Annual General Meeting where there will be a formal review of performance across the Academy Trust as well as an opportunity to discuss with Trustees projected developments and the vision for the future. Members may also choose to convene further meetings should they wish but are not expected to attend board meetings, sit on executive leaders' performance review panels, or contribute to specific decisions in relation to the trusts' business decisions. Members will be kept informed and engaged by the Chair of the Members Board who will also serve as a Trustee on the board. No more than 40% of the Members will also serve as Trustees.

### **3.2 Board of Trustees**

The Board of Trustees operates at a strategic level, is able to exercise all of the powers of the Academy Trust and is the responsible body for the performance, achievement and overall direction of the Academy. Accordingly, it will approve the policies for the Trust.

The Board of Trustees will offer support, constructive advice, a sounding board for ideas, a second opinion on proposals and help where needed, but may also challenge, ask questions, seek information, improve proposals and so seek to arrive at the best solution for the Trust.

Specifically the board will cover the following four areas:

#### a) Strategy

- set the vision, ethos and strategy for the Academy Trust and its schools over the next three to five years;
- develop the Trust Board to ensure that it has the capacity, skills and succession plans to have a positive impact on outcomes for pupils.

- ensure that there is a strong and effective executive leadership structure and personnel in place across the Trust;

#### b) Performance

- oversee, scrutinise and challenge the Academies' education performance data;
- oversee, scrutinise and challenge the Academy Trust's financial capability and management system to ensure compliance with the Academies Financial Handbook, and deliver best value for money;
- ensure there are effective performance management systems and processes in place across the Academy

#### c) Compliance

- establish the governance structures for the Academy Trust, from Members to school level, in keeping with the Articles of Association; DfE Governance Handbook and DfE Competency Framework for Governors
- provide clarity, through the published Scheme of Delegation and associated Terms of Reference of the level at which the various governance functions are exercised
- ensure the Academy Trust complies with all relevant compliance regulations, statutory and non-statutory guidance and the law

#### d) Communication

- engage with the Academies' communities, parents, pupils and staff;
- contribute to developing collaborative relationships beyond the Academy Trust;

Individual trustees and their associated responsibilities can be found in appendix 2 of this document.

### 3.3 Committees

a. The Board of Trustees have established a structure of Committees to support the work of the Trust. These Committees act in an advisory capacity to the Board of Trustees except where powers have been specifically delegated to them (see Scheme of Delegation)

b. The Board of Trustees appoint the following committees:

- A Local Advisory Board for each Academy

- A finance committee
- An advisory audit committee
- An advisory asset management committee
- A performance management committee
- A remuneration committee

Any recommendations reached at the advisory committees shall be taken to the Board of Trustees meeting immediately following, for formal discussion and ratification by the Trustees before implementation.

c. Committees are expected to meet according to their term of reference which are agreed by the Trustees annually.

d. Each committee, including the Local Advisory Board, will nominate a Chair on an annual basis from amongst its number and these appointments will be subject to approval by the Board of Trustees. All committees will have clerking arrangements.

e. The committee may co-opt additional committee members who are not Trustees (subject to rules governing these arrangements)

f. The Local Advisory Boards may choose to establish their own sub-committees; any such committee will act in an advisory capacity to the Local Advisory Board and ultimately to the Board of Trustees. The functions and proceedings of the committees are subject to regulations made by the Trustees from time to time pursuant to the powers contained in the Articles of Association.

### **3.4 Local Advisory Board**

Legal accountability for all aspects of the Academy lies with the Board of Trustees including finance, personnel and premises, and the educational performance of the schools.

The Local Advisory Boards' role is to provide advice and support to an individual school within the Trust in order that it achieves its aims. The LABs are designed to enable key stakeholders to get involved in the life of the school and the academy, contribute to its development and promote the school within the community. Individual members of the LABs act as representatives for their school on the committees of the Board of Trustees including the finance and asset management committees.

The LABs will have direct contact with the Board of Trustees through the Trustee with the LAB portfolio. Whilst LAB committee members will need to be associated with one school (so they can get to know it well), they are also welcome to indicate that they are willing to use their expertise across the Trust for board work (such as disciplinary or grievance procedures). Terms of office for LABs will be for 3 years. It is expected that the LAB will reflect a range of stakeholder views and will always include two parents.

The Local Advisory Board will:

- pursue the overarching vision and aims of the Eden Academy Trust, learning from best practice and taking into account local circumstance
- contribute to the formation of the school's development plan and actively engage in supporting the delivery plan for it
- have an in-depth knowledge of the school, its standards, its strengths and weaknesses so that individual members can actively contribute or identify expertise that supports improvements in teaching and learning
- act as representatives on committees set up by the Board of Trustees
- undertake any tasks delegated to them by the Board of Trustees
- actively engage in the development of plans for improving local infrastructure, resourcing and asset management
- act as panel members on complaints panels, disciplinary panels, appeals panels, grievance panels and at contract reviews to the levels identified in the scheme of delegation
- actively build links with the local stakeholders (particularly parents)
- support and advise the Headteacher / HoS

### **3.5 Delegations to other staff**

- a. The Board of Trustees, in consultation with Chief Executive (CEO) will formulate the aims, objectives, policies and targets for the Trust. The CEO will report to the Board of Trustees on progress at each meeting.
- b. Responsibility for the internal organisation, management and control of the academy, implementing the Trust's strategic framework and policies and the direction of the teaching and the curriculum at the Academy is delegated by the Trustees to the CEO and through her, to the Cabinet. The "Cabinet" comprises the CEO, Director for Academy Development, Director for Finance and Operations and Director for Schools.

For these purposes the Trustees shall delegate those powers and functions required by the Directors.

- c. The Chief Executive and through her the Directors and staff are accountable to the Board of Trustees for the academy's performance. The Board of Trustees will be prepared to explain its 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 and may be on any aspect of Academy performance.
- d. The Director for Schools or the Director for Academy Development will continue in the official (and legal) capacity as Head Teacher of any school within the Trust where there are Heads of School in place. Where a headteacher has been appointed, they will have the official (and legal) capacity.
- e. The Chief Executive will comply with any reasonable direction by the Board of Trustees when acting on the Trust's behalf.
- f. The Chief Executive will agree and monitor appropriate delegations of authority with other staff.

## **Appendix One: Terms of reference for board committees**

To comply with Clause 106 of the Articles of Association, where any power or function of the Trustees is required to be exercised by any committee (including any Local Advisory Board), any committee that does not comprise a majority of Trustees, shall report to the Board for ratification of any action or decision that they recommend with respect to the exercise of that power or function - before implementing that action or decision. It is up to each committee to decide its meeting pattern for the year dependent upon need and context.

### **a) Finance Committee**

#### **Purpose**

The Board of Trustees delegates responsibility for the financial management of the Academy Trust to the finance committee.

#### **Composition**

The finance committee will comprise:

- The Chair of the Board of Trustees
- The CEO
- At least 2 trustees, one of whom will have responsibility for the finance portfolio and one of whom will act as Chair for the committee.
- representation from Local Advisory Boards (maximum 3)
- The Director for Finance and Operations (without voting rights)

#### **Quorum**

4 (of which 3 must be trustees)

#### **Responsibilities**

A detailed set of accountabilities and responsibilities across the Eden Academy Trust is contained within the Scheme of Delegation. The finance committee will meet 6 times during the course of the Academic year to oversee:

##### **1. Financial management strategy**

- establish and maintain an up to date 3 year strategic financial plan
- maintain an oversight of the long term financial health of the Academy, including risk management and escalation to the BOT as appropriate.
- consider the levels of top up fee charged across the Academy

- consider a medium term plan report annually to inform the recovery of deficit if applicable
- review benchmarking data on an annual basis to secure best value for money
- investment and reserves strategy

## 2. Budget and operational issues

- recommend to the BOT, the first formal budget plan of the financial year, carry out revisions and monitor the budget
- consider a budget position statement including virement decisions at least termly and to report significant anomalies from the anticipated position to the BOT
- make decisions in respect of service agreements, contracts and insurance (buildings and public liability)
- make decisions on expenditure following recommendations from other committees (e.g. remuneration committee)
- be responsible, in conjunction with the BOT, for determining dismissal payments/early retirement

## 3. Compliance

- ensure the Academy is operating within its funding agreement
- review and agree policies relating to Finance as delegated by the BOT e.g. Finance Policy, Record of Financial Responsibility including levels of delegation
- approve audit committee arrangements including the Statement of Internal Control
- receive reports from the audit committee and action where necessary
- review and approve the charges and remissions policies and expenses policies and best value statement

## **b) Audit Committee**

**Purpose:** To offer external challenge on all issues relating to regularity and risk and oversee arrangements for internal and external audit arrangements. It offers an additional level of scrutiny and advice to the Board of Trustees.

**Composition:** The committee will comprise one member or trustee and at least one other person external to the Trust

### **Responsibilities:**

#### 1. Regularity

- a. Ensure Academy wide visibility of financial regulations and procedures eg. the 'Academies Financial Handbook' releases.
- b. Advising the board of trustees on the effectiveness of the whole system of internal control, not just financial controls.
- c. Oversight of the controls surrounding IT systems. Those controls to include such things as:
  - i. Appropriate access to data entry, data authorisation, and data reporting
  - ii. Appropriate risk management of IT - backup and disaster recovery.
  - iii. Appropriate data protection procedures.
- d. Intervene if there are signs that something may be seriously amiss, in particular in connection with explanations given by auditors and management. Commissioning investigations and seeking professional advice as considered necessary.
- e. Responsibility for commissioning investigation of potential instances of fraud or irregularity or cases of whistle blowing.

#### 2. External Audit

- a. Advising on the appointment and remuneration of external auditors.
- b. Oversight of the audit plan
- c. Ongoing monitoring / ensuring audit deadlines are met.
- d. Advising the board of trustees on external audit findings reports and management letters.

#### 3. Internal Audit

- a. Advising on the scope of work and objectives of internal audit.

- b. Advising on the appointment and remuneration of internal audit.
- c. Oversight of internal audit plans and audit needs assessments, relating this to the risks identified.
- d. Ensuring co-ordination between the internal audit service and external auditors.
- e. Advising on internal audit assignment reports and annual opinions.
- f. Monitoring implementation of recommendations in audit reports and management letters.

#### 4. Risk registers

- a. Assisting the management team in developing the school level and consolidated risk register and action plan reporting.
- b. Initial questioning against the risk registers so produced.
- c. Ensuring adequate escalation to the Board for further scrutiny and action.

#### 5. Other

- a. Reporting regularly to the board on the work of the audit committee.
- b. Review Local Advisory Board agreed policies to ensure these do not contradict Academy – wide policies.
- c. Read any freedom of information requests and management responses and advise on content as necessary to ensure these are full and compliant.

## **c) Performance Management Committee**

### **Purpose**

The performance management committee is set up to oversee the performance management of senior members of the trust.

### **Composition**

The committee will comprise the CEO (in respect of the cabinet's performance management) and 2 other Trustees.

### **Quorum**

At least two members of the committee must participate if decisions are to be made.

### **Responsibilities**

The performance management committee will

- meet annually to set targets for the CEO
- decide whether the previous annual targets have been met
- monitor through the year performance against the targets
- make recommendations to the Remuneration Committee in respect of awards for the successful meeting of targets set
- receive a report annually from the CEO about the performance of the senior team

## **d) Remuneration Committee**

### **Purpose**

The committee will oversee all issues related to remuneration

### **Composition**

The remuneration committee will comprise the CEO (unless discussions relate to the CEO) and 3 other Trustees.

### **Quorum**

At least 2 trustees must be present if decisions are taken

### **Responsibilities**

The committee will

- oversee the Pay Policy across the Academy (making recommendation to the Finance committee as necessary) including recommending suitable salary ranges (e.g. the appropriate Individual School Range (ISR))
- meet as necessary to discuss matters regarding remuneration
- make recommendations to the Finance committee in respect of awards

## **e) Asset Management Committee Terms of Reference**

### **Purpose**

To have an oversight of the academy assets with regards to maintaining and developing premises paying due regard to health and safety and the provision of fit for purpose, attractive environments for children and young people. This committee advises the Board of Trustees

### **Composition:**

One member of the Board of Trustees

One representative of each school in the Academy

Director for Finance and Operations

### **Responsibilities:**

The committee will:

- have an oversight of the academy assets with regards to maintaining and developing premises.
- ensure a Health and Safety policy and effective governance arrangements are in place at each school and across the academy
- provide support and guidance for the Board of Directors, local advisory boards, the Head of finance and resources and the cabinet on all matters relating to the maintenance and development of the premises and grounds, including Health and Safety.
- establish and maintain asset registers in accordance with financial procedures
- establish and implement a Buildings Maintenance strategy
- ensure compliance with Health and Safety legislation
- receive, discuss and resolve any H&S issues that are escalated from schools and where necessary, escalate issues to the Board.
- provide an annual H&S report to the Board keep under review the Academy Accessibility Plan.
- advise the finance committee on priorities relating to premises development and building projects across the Academy.
- have an overview and an active role in advising the Board of Trustees
  - which development and building projects should be submitted to the DfE for funding
  - the mechanism for submitting bids
  - the timeframe within which this should occur

- receive and consider options for significant building projects from the Head of Finance and Resources
- provide commentary and/or advice to the Board of Trustees to inform their decision making on potential significant building projects.
- ensure that tenders, contracts, and works over £10,000 are suitably and professionally managed and that update reports are received at agreed intervals.
- escalate to the board any areas of concern in respect of project delivery

## **f) Local Advisory Boards**

### **Purpose**

A detailed set of accountabilities and responsibilities across the Eden Academy Trust is contained within the Scheme of Delegation. Legal accountability for all aspects of the Academy lies with the Board of Trustees including finance, personnel and premises

The Local Advisory Boards' role is to provide advice and support to an individual school within the Trust in order that it achieves its aims. The LABs are designed to enable key stakeholders to get involved in the life of the school and the academy, contribute to its development and promote the school within the community. Individual members of the LABs act as representatives for their school on the sub-committees of the Board of Trustees including the finance and asset management committees.

### **Constitution**

The Local Advisory Boards should reflect the views of its stakeholders. As such, it should be suitably representational including staff members, members of the local community and at least 2 elected parent members. (The number of parental representatives is statutory and included within the Articles of Association). The school will regularly canvas parents, staff and community members in order to recruit new talent. Interested parties will be asked to send an expression of interest to the Chair of the LAB. The decision to appoint a new member will be made jointly by the chair and the Headteacher / Head of School. The chair will inform the BoT and the clerk once a new member is appointed. The term of office will be for three years. However the chair may wish to co-opt members for a shorter period of time to work on a specific project and in line with a volunteer's expertise.

The Chair of the Board will be nominated annually by the committee and approved by the Board of Trustees. Meetings of the LAB will be clerked and the minutes will be made available on the individual school website. The clerk will keep a register of pecuniary interests of LAB members. Each LAB will decide on the nature and frequency of meetings in line with the needs of the school and in discussion with the Head of School/Headteacher.

All prospective members will be required to undertake a DBS and every member must make an annual declaration of interest. The Chair, in consultation with the Headteacher/Head of School will have the power to remove an LAB member should it be perceived that the said member is disruptive or is in some way impacting negatively on the effective functioning of the LAB.

## **Responsibilities**

The Local Advisory Board will:

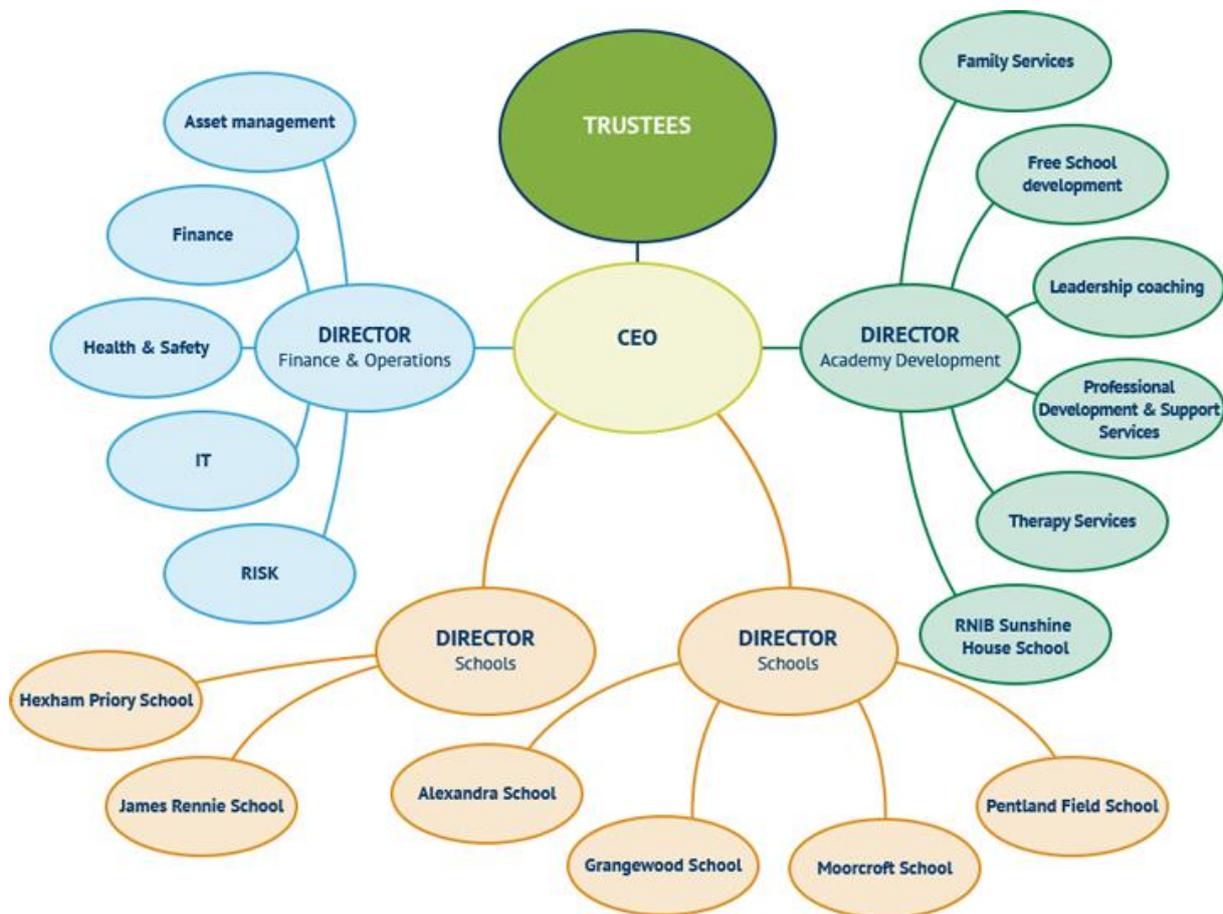
- pursue the overarching vision and aims of the Eden Academy Trust, learning from best practice and taking into account local circumstance
- contribute to the formation of the school's development plan and actively engage in supporting the delivery plan for it
- have an in-depth knowledge of the school, its standards, its strengths and weaknesses so that individual members can actively contribute or identify expertise that supports improvements in teaching and learning
- act as representatives on sub-committees set up by the Board of Trustees
- undertake any tasks delegated to them by the Board of Trustees
- actively engage in the development of plans for improving local infrastructure, resourcing and asset management
- act as panel members on complaints panels, disciplinary panels, appeals panels, grievance panels and at contract reviews to the levels identified in the scheme of delegation
- actively build links with the local stakeholders (particularly parents)
- support and advise the Headteacher / HoS

1. Decision Matrix	
<b>M</b>	Members
<b>BOT</b>	Board of Trustees
<b>LAB</b>	Local Advisory Board
<b>FC</b>	Finance Committee
<b>Audit</b>	Audit Committee
<b>CEO</b>	Chief Executive Officer
<b>DS</b>	Director for Schools
<b>DAD</b>	Director for Academy Development
<b>HT</b>	Headteacher
<b>HoS</b>	Head of School
<b>DFO</b>	Director for Finance and Operations

1. Key	
<b>A</b>	Accountable
<b>R</b>	Responsible
<b>C</b>	Consulted
<b>I</b>	Informed

## 2. Structure

The Board of Trustees delegates responsibility to the Chief Executive Officer and through the CEO to the Directors and staff of the Trust.



### 3. Financial and Operational Management

Financial and Operational Management	M	BOT	LAB	FC	Audit	CEO	DS	DAD	HoS/HT	DFO
Approving financial procedures in accordance with legal and DfE requirements and best practice		A		R						
Ensuring that the financial procedures are implemented effectively		A (delegated to FC)		A	Provides assurance to the FC via internal & external audit	R (delegated to DFO)				R
Maintaining accurate, reconciled and up to date records to provide financial and statistical information		A (delegated to the FC)		A						R
Establishing and maintaining asset registers in accordance with financial procedures		A								R
Ensuring that any disposal of assets complies with the financial procedures		A (delegated to the FC)		A						R
Maintaining a register of pecuniary and business interests of Trustees, Local Advisory Board members and staff ( <i>the matrix demonstrates responsibility for collating registers, the clerk, CEO and FOM will maintain an overview of all interests</i> )		A&R: Clerk (Trustees)	A&R: Clerk (LAB)							A&R (Staff)
Establishing and maintaining procedures for effective audit in accordance with legal and DfE requirements	A (delegated to audit committee)				A					R

Financial and Operational Management	M	BOT	LAB	FC	Audit	CEO	DS	DAD	HoS/HT	DFO
Receiving reports from audit inspections and the resulting Action Plan	A (delegated to audit committee)				A					R
Ensuring appropriate insurance arrangements in accordance with the financial procedures	A									R
To approve the first formal budget plan each financial year in accordance with DfE timeframes		A	I	R (make recommendation to Board)		C	C		C	
To set individual balanced school budgets to feed into the overall budget plan, within a financial limit of individual academy GAG minus agreed top-slice			I	A		C	C		C	R
To monitor, review, and amend as necessary, the Trust's actual financial performance throughout the year and at year end				A		C	C		C	R
Ensuring that all transfers between budget headings (virements) comply with the financial procedures				A						R
Establishing and implementing procedures for staff and Trustees to claim expenses				A						R
Approving a lettings policy and fees			C						C	A&R
Ensuring that any writing off of debts complies with the financial procedures				A						R
Ensuring that all procurement processes and resulting contracts and agreements conform with the financial procedures				A						R

Financial and Operational Management	M	BOT	LAB	FC	Audit	CEO	DS	DAD	HoS/HT	DFO
Authorising payments on receipt of correct invoices where goods have been received to the correct price, quantity and quality standard										A&R
Retaining the appropriate financial records, and storing them appropriately, to comply with legal and / or DfE requirements										A&R
Approving applications for Business / Credit Cards						A				R
Complying with VAT and CIT regulations				A						R
To investigate financial irregularities (not involving the accounting officer)				A		R (dependent on case)				R (dependent on case)
To investigate financial irregularities (involving the accounting officer)		A&R								
To establish and implement a Buildings Maintenance strategy		A	I						C	R
To ensure compliance with Health and Safety legislation		A	C						C	R
To set the academy day and year							C	C	A	

## 4. Governance

Governance	M	BOT	LAB	FC	Audit	CEO	DS	DAD	HoS/HT	DFO
To appoint Vice-Chair of Trustees		A&R								
To appoint and dismiss the clerk to the Board of Trustees and local advisory boards		A&R (BOT)	A&R (LAB)							
To appoint and dismiss the clerk to a Committee		A&R (BOT)	A&R (LAB)							
To appoint the Chair of a Committee		A&R (BOT)	A&R (LAB)							
To appoint and remove co-opted Trustees	A									
To establish, approve Terms of Reference for and membership of, and monitor a committee of Trustees		A&R								
To establish, approve Terms of Reference for and membership of, and monitor a committee of the LAB			A&R							
To review at least annually the committee structures and any delegated powers of Trustees		A&R								
Review and approve the overarching policies for the Academy, including but not limited to: <ul style="list-style-type: none"> <li>Financial procedures</li> <li>Safeguarding</li> </ul> Staffing (including Terms and Conditions) <ul style="list-style-type: none"> <li>Health and Safety</li> <li>Student performance and behaviour</li> <li>Curriculum<sup>1</sup></li> </ul>		See separate document								
To approve and circulate the Annual Audit Report	A									R

<sup>1</sup> It is noted that some policies related to both student performance and behaviour and to curriculum may be school specific. In these cases the HOS/HT then becomes responsible.

## 5. HR & Staffing

HR & Staffing	M	BOT	LAB	FC	Audit	CEO	DS	DAD	HoS/HT	DFO
To approve the overall staffing establishment for the academy (School Staff)		A	I	I			R (delegated to HOS/HT)	R (delegated to HOS/HT)	R	C
To approve the overall staffing establishment for the academy (Central Staff)		A		C		R	C		C	C
Establish and ensure accurate payroll management										A&R
Appoint the CEO, DAD, DS, DFO		A&R								
Appoint the HOS/HT		C	C <sup>2</sup>			A (delegated to DS or DAD if appropriate)	A	A		
Appoint the DFO				C		A	C			
Performance management of the CEO (including salary)		A&R (delegated to perf man and remuneration committees)								
Performance management of HOS/HT							A&R	A&R		
Performance management of DAD, DS and FO		A				R				
Appoint staff who work across the Academy							A			
Appoint other teaching staff			C				R (delegated to the HOS where appropriate)	R (delegated to the HOS where appropriate)	C	

<sup>2</sup> Consult in all cases of appointment means that a LAB member may be invited to sit on an interview panel

HR & Staffing <sup>3</sup>	M	BOT	LAB	FC	Audit	CEO	DS	DAD	HoS/HT	DFO
Appoint other support staff			C				R (delegated to the HOS where appropriate)	R (delegated to the HOS where appropriate)	R	
Approve Terms and Conditions policy		A&R								
Approve disciplinary / capability / grievance / performance management policies		A&R								
Implement and monitor the HR policies			C <sup>4</sup>			R	R	R	C	
Suspend or dismiss the CEO		A&R								
Suspend or dismiss the DAD, DS or DFO		A&R				C				
Suspend or dismiss the HOS/HT		A	C			C	R	R		
Suspend staff (besides the above)			C			C	R (delegated to the HOS where appropriate)	R (delegated to the HOS where appropriate)	C	
Dismiss staff (besides the above)			C			C	R (delegated to the HOS where appropriate)	R (delegated to the HOS where appropriate)		
Approve any leaving payments (redundancy, dismissal, early retirement) in accordance with academy policy		A	C	R						

<sup>3</sup> HR policies across the southern hub of the Eden Academy Trust are currently provided by Schools HR. These are constructed in consultation with the unions and professional bodies. In 2018-19, a review of the northern hub's HR policy will be undertaken. All decisions regarding the dismissal or suspension of staff will be taken having sought advice from Schools HR

<sup>4</sup> Consult here and in relation to dismissals or suspensions means that LAB members may sit on panels such as contract reviews, disciplinaries. Training will be offered to LAB members (and Trustees and senior staff members) who undertake this role.

## 6. Student Development

Student Development	M	BOT	LAB	FC	Audit	CEO	DAD	DS	HoS	DFO
To exclude a pupil (fixed term)			I				R (delegated to HT where appropriate)	R (delegated to HT where appropriate)	C	
To exclude a pupil (permanently)			I				R (delegated to HT where appropriate)	R (delegated to HT where appropriate)	C	
To consult on and determine an admissions policy		A	C				R	R		
To determine who will be offered a place in accordance with the admissions policy		A	C				C	C	R	
To ensure that there is a daily act of collective worship		A					C	C	R	
To ensure that the curriculum complies with the legal and Funding Agreement requirements		A					R (delegated to HT where appropriate)	R (delegated to HT where appropriate)		
To ensure the provision of free school meals to eligible pupils							R	R	R	
To approve the curriculum			I				A (delegated to HT where appropriate)	A (delegated to HT where appropriate)		

## 7. Board of Trustees

Trustee Name	Responsibility	Link cabinet Director
<b>Barry Nolan</b>	Chair Portfolio: CEO Liaison with LSA representatives Local Advisory Board liaison	Susan Douglas
<b>Karen Deacon</b>	Vice Chair Safeguarding Liaison with parents	
<b>Hardip Begol</b>	Chair of members board Liaison with members	
<b>Susan Douglas</b>	Local Advisory Board liaison	
<b>Victoria Collis</b>	Portfolio: Academy Development	John Ayres
<b>Jamie Clark</b>	Chair of finance Portfolio: Finance and operations	Sudhi Pathak
<b>Helen Milner</b>	Portfolio: Schools and performance in the North	Michael Thompson
<b>Antony Power</b>	Portfolio: Schools and performance in the South	Jarlath O'Brien
<b>Angela St John</b>	Chair of asset management group Member of IT group	
<b>Collette Stone</b>	Liaison with teacher representatives Remuneration	
<b>Brian Eaton</b>		

29

## 8. Cabinet

Director Name	Title
<b>Susan Douglas</b>	Chief Executive Officer and Trustee
<b>Sudhi Pathak</b>	Director for Finance and Operations
<b>John Ayres OBE</b>	Director for Academy Development
<b>Jarlath O'Brien</b>	Director for Schools South
<b>Michael Thompson</b>	Director for Schools North