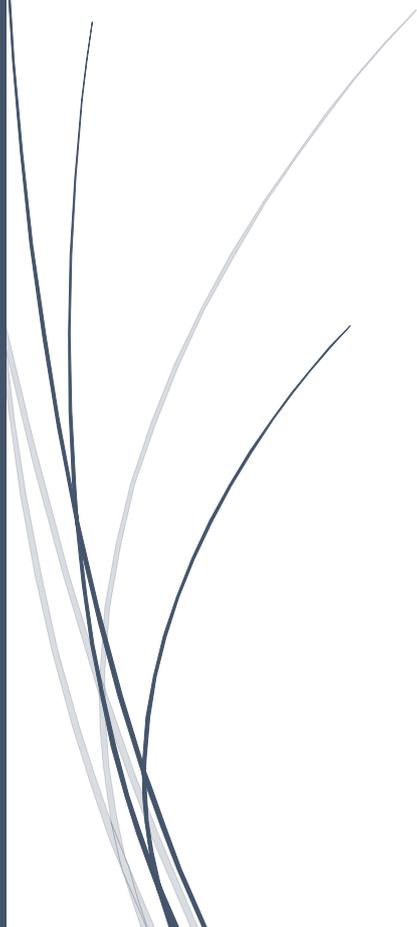


December 2018



Governance
Framework
&
Scheme of
Delegation



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Horncastle Education Trust General Principles

VISION AND VALUES

We believe that every student whatever their background has the right to flourish, to achieve and to succeed and everything undertaken by Horncastle Education Trust should have this ambition at its heart.

1. INTRODUCTION

All governance in the Horncastle Education Trust flows from the Trust Board who have legal responsibility for the operation of the Trust. The law places accountability for the educational outcomes and financial diligence of the Trust firmly with the Trustees and the CEO (Executive Headteacher) as Accounting Officer.

However, a fundamental principle for the Horncastle Education Trust is that effective governance is best delivered as close as possible to the point of impact of decisions. We have a governance structure that delegates significant accountability to our Local Governing Bodies.

The purpose of this document is to provide clarity on how the different elements of governance and leadership work together for the benefit of the whole Trust. The relationship between the two tiers of governance is predicated on a belief in the avoidance of any duplication in the operation of the Trust's governance.

This document should be read in conjunction with the Trust's Articles of Association, the Trust's Finance Policy, the Financial Handbook and Appendix A (Financial Scheme of Delegation) and Appendix B (Scheme of Delegation grid).

2. WAYS OF WORKING

The Horncastle Education Trust supports its schools because that in turn benefits the communities we serve. It is expected that Trust schools will work in collaboration with each other and in a spirit of solidarity and with positive intent. That schools joining Horncastle Education Trust make a positive choice to do so.

It is the Trust's stated intention and preference that:

- The Trust Board and Local Governing Bodies will work collaboratively and in partnership at all times so they can draw upon each other's strengths in order to overcome any weaknesses and be able to respond robustly to challenges when they present.
- The success of the Trust will be determined by the relationship it engenders with the Local Governing Bodies which will always be based on the shared responsibility for the promotion of the Trust's vision, values and common purpose.
- The Trust Board will make decisions, following consultation with Local Governing Bodies, on matters which affect all academies in the Trust: Local Governing Bodies will make decisions on matters which affect individual schools.
- The Trust recognises and celebrates the independence and distinguishing characteristics of each of its schools and believe that governance should be as close as possible to the point of impact of decision-making.
- Local Governing Bodies and Headteachers will have maximum delegation of responsibility, decision making and accountability for the strategic direction and day-to-day operation of their academies *unless there is a cause for concern*.
- The Trust Board will put in place effective arrangements for monitoring and evaluating the performance of Local Governing Bodies and schools.
- The Trust Board will fully consult Local Governing Bodies on proposals for the composition, membership, structure, and terms of reference for Local Governing Bodies and sub-committees, on arrangements for the recruitment and appointment of governors.
- Local Governing Bodies will report regularly and frequently to the Board and will make available all relevant data and information on performance.
- Local Governing Bodies should see themselves as champions in their own schools of the vision and values of the Trust.

3. WHEN AN ACADEMY'S PERFORMANCE GIVES CAUSE FOR CONCERN

The Trust Board remains ultimately responsible for the Trust and the conduct of its schools. There may be circumstances (more the exception than the rule) where the Trust Board may be compelled to intervene and may review and then withdraw delegated authority for some or for all elements of governance. In such circumstances the Trust Board will work closely with the school giving cause for concern and with those involved in its governance.

The Trust Board is committed to providing ongoing support for its schools using internally generated performance updates through the Core Data set and other appropriate sources as well as any externally derived information such as Ofsted, reviews of governance or peer review outcomes.

The Trust Board uses risk assessment based on analysis of available academy performance data to ensure that its approach to intervention is both timely and appropriate and school improvement resources can be focussed to have greatest impact. Where there are serious concerns over the ability of the school to carry out its duties and responsibilities the Trust Board will intervene; intervention uses three levels depending on the risk that the identified weakness poses. Serious concerns will be based around the following triggers:

1. A sudden or unexpected dip in the performance of the academy
2. Insufficient progress being made against educational targets
3. A significant and unexpected in-year deficit
4. A significant financial irregularity or concern raised eg by auditors
5. Action not being taken appropriately or in a timely fashion following auditors' recommendations
6. Spending not being properly monitored and controlled
7. A significant and serious threat to the safety of students or staff
8. A significant safeguarding concern
9. A significant weakness identified by a review of governance, peer review or Ofsted

10. Following an Ofsted inspection, an academy being given either an overall effectiveness rating of RI or RI for any of the individual sections
11. Following an Ofsted inspection, an academy is judged as Inadequate overall or in any individual aspect
12. A significant serious complaint or series of complaints made to the Trust Board about an individual academy
13. A breakdown or failure of how the school is managed or governed

LEVELS OF INTERVENTION

LEVEL 1

When weak performance has been identified as such within trigger points 1 - 6 in the list above, the Trust Board will direct the CEO to work with the relevant LGB to create an action plan to effect improvement. In most instances, this should be sufficient to secure the necessary improvement to satisfy the Trust Board that no further intervention is required.

LEVEL 2

Where an LGB is unable to create an effective Action Plan or to implement the necessary actions that the Plan stipulated or a review of governance has indicated a significant weakness then the Trust Board will take back some or all devolved powers from the LGB.

Initially, the Trust Board may remove and replace the Chair of the relevant LGB. The Trust Board will manage the process of removing and replacing the Chair and will work with the remaining members of the LGB to identify a replacement. The main function of removing and replacing the Chair will be to secure the governance of the academy and develop a sound basis for improvement. The newly appointed Chair will remain in place until the Trust Board is satisfied that the relevant performance problems have been rectified and that the LGB is sufficiently competent to resume responsibility for appointing its own Chair.

LEVEL 3

Where serious or systemic weaknesses within an LGB have been identified by a review of governance, by Ofsted or where the Trust Board has no confidence in the

LGB to effect improvement, it will be replaced by an IAB (Interim Advisory Board). Triggers 7 – 13 in the list above may constitute grounds for Level 3 intervention. The main function of the IAB will be to secure the governance of the academy and develop a sound basis for improvement.

The IAB will be a small focussed group; members will be chosen on a case by case basis in accordance with the needs of the relevant academy. Members from the original LGB may be included in this group dependent on the skills and attributes they offer.

The IAB will be in place until the Trust Board is satisfied that the relevant performance problems have been rectified and that the revised membership of the LGB is sufficiently competent to resume responsibility for the academy.

4. ACCOUNTABILITY

The underlying principle of this Scheme of Delegation (SoD) is that all Trust Schools are in equal partnership irrespective of their size, phase of education, length of membership or Ofsted category.

It is the intention of the Horncastle Education Trust that governance should be as close as possible to the point of impact of decision-making so that LGBs can make decisions at a local level to fully meet the needs of their students and their local community.

5. OVERVIEW OF KEY ELEMENTS OF GOVERNANCE

The SoD provides for a number of functions to be delegated so that decisions can be made. These include to the following individuals:

1. Chair of the Trustee Board
2. The CEO (Executive Headteacher) & Accounting Officer
3. Chief Financial Officer (CFO)
4. Headteacher (HT)

Certain functions and decision-making may be delegated to the following bodies:

1. Local Governing Body (LGB)
2. Executive Leadership Team (ELT)

The SoD outlines shared responsibilities for the leadership and governance within the Horncastle Education Trust. As our Trust matures, its strategic and operational functions in terms of governance and leadership will evolve to ensure fitness for purpose in a range of contexts. The SoD will be reviewed annually, with revisions made as required so that governance across Horncastle Education Trust remains fit for purpose. It is important to ensure that all involved in governance are made aware of any changes and what these mean in practice. Our SoD will:

- Ensure all Horncastle Education Trust schools support and understand the principles of mutual accountability and shared responsibility for school and Trust improvement
- Ensure clarity for decision making across the Trust and how each component of governance and leadership supports this process
- Ensure leadership roles are fully understood across the Trust and how leadership strands work towards Trust wide aims and ambitions
- Promote a culture of community, trust, honesty and accountability
- Identify responsibility for the appointment and appraisal of the CEO (Executive Headteacher) and Trust School Headteachers
- Identify responsibility for policy and practice in each Trust school
- Identify responsibility for oversight of each Trust school budget
- Identify responsibility for assessment of risk in each Trust school
- Identify responsibility for oversight of educational performance in each Trust school

A contribution of 5% of each Trust School's GAG will be levied to enable all schools to access a range of functions and services as and when required. This will be a proactive service incorporating expert support and advice as well as an undertaking to scan the horizon and work to future proof the Trust. This excludes any surplus carried forward or income generated by individual schools. When necessary or needed, specific charges will be made for any bespoke intervention.

6. MEMBERS

Membership of the MAT & the Role of Members

The Trust will have a maximum of six and a minimum of three Members including the Chair of the Trust Board. Members of the Trust have responsibility for appointing and removing Trustees. Members are best viewed as guardians of the constitution, changing the Articles of Association and ensuring the charitable objects of the Trust is fulfilled. The Members are the signatories to the Memorandum until they resign or otherwise cease to be Members; and any person appointed under Article 15A (i.e. by a special resolution of the Members).

The Members of the Horncastle Education Trust have a different status to Trustees. Our Articles of Association will define how members are recruited and replaced and how many of the trustees Members can appoint to the Trust Board. The Members appoint Trustees to ensure that the trust charitable object is carried out and so must be able to remove Trustees if they fail to fulfil this responsibility. Accordingly, the Trust Board 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. While Members are permitted to be appointed as Trustees, only the Chair of the Trustee Board can be appointed as a Member. This is to retain a degree of separation of powers between the Members and the Trust Board and is in line with DfE guidance. The Members are not permitted to be employees of the Horncastle Education Trust.

Main responsibilities of the Members
<ul style="list-style-type: none">• Signatories of MOA• Agree Trust's first Articles of Association• Sign master funding agreement• Ensure Trust's charitable objective is being met• Retain an overview of the effectiveness of the Trust structure• Hold the Trust Board to account for improved progress and outcomes• Appoint & remove Trustees• Appoint external auditors• Sign off the financial accounts and annual report• To approve any service contracts for Trustees

7. THE TRUST BOARD & 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 Horncastle Education Trust in accordance with the provisions set out in the Memorandum and Articles of Association. The Trustees are personally responsible for the actions of the Trust and accountable to the Members, Secretary of State and to the wider community for the quality of education received by all students in Trust Schools and for the expenditure of public money. The Trustees are required to have systems in place through which they can assure themselves of the quality, safety and good practice of affairs of the Trust. The Trustees can determine whether to delegate any governance functions to individuals or groups listed in the *Overview* on page 1. The Trust has the right to review and adapt its governance structure at any time which includes removing delegation.

Trustees must demonstrate that they have the requisite level of skills and experience required for the successful leadership and management of a charitable trust. All Trustee appointments will be made to ensure the Trust has the required skills set for Horncastle Education Trust to function effectively and Trustees will be required to complete a skills audit prior to being approved as a Trust Board Member and to update this annually. The Trust will complete an annual governance skills audit to ensure this composition is reviewed regularly.

The proposed membership is as follows: Up to 11 Trustees appointed by the Members under Article 50 including the CEO (Executive Headteacher). Members will appoint trustees based solely on the skills and expertise they bring to the Trust. The Articles will also provide that additional Trustees (up to three) can be co-opted by the Trustees.

Leadership of the Trust involves placing trust in others and it also requires Trustees to apply a degree of both curiosity and scepticism to make sure there is a constructive and effective challenge at every level. The Trust Board is the accountable body for the performance of all schools within Horncastle Education Trust and as such must:

1. Set and ensure the clarity of vision, ethos and strategic direction for the Trust.

2. Establish the governance structure of the Trust from Members through to school level in keeping with the Articles of Association.
3. Hold the CEO (Executive Headteacher) to account for the educational performance of the Trust's schools and its pupils and for the appraisal of its staff.
4. Oversee the financial performance and management of the Trust and make sure its money is well spent because Trustees are bound by both Charity and Company law. In particular that there are adequate controls to ensure that the budget is used as Parliament intended, that high standards of conduct and behaviour are being maintained and that Trust policies ensure that there is Value For Money.
5. Engage with all Trust schools' communities, parents, students and staff.
6. Contribute to developing collaborative relationships beyond the Trust
7. Ensure there is a strong and effective leadership structure in place across the Trust.
8. Have a clear overview and understanding of schools' performance data.

In making decisions the Trustees must consider:

- ***Is it right for our children?***
- ***Is it right for our community?***
- ***Does it meet with our ethos and values?***

8. SUMMARY OF KEY RESPONSIBILITIES OF THE TRUST BOARD

Core strategic function	Strategy	Governance	Finance	People & Leadership	Standards
<ul style="list-style-type: none"> • Set vision, ethos & strategic direction • Approval of new schools joining the Trust • Hold LGBs to account for educational performance • Overseeing the financial performance and compliance of the academies. • Apply both curiosity and scepticism so that constructive and effective challenge is happening routinely at all levels of governance 	<ul style="list-style-type: none"> • Communicate vision to stakeholders • Establish and monitor a strategic risk register • Agree a five year asset management plan • Develop a marketing & communication plan • Ensure all statutory policies and procedures are in place and communicated to schools • Ensure systems are in place to meet compliance regulations • Review the effectiveness of LGBs • Communicate levels of delegation for schools in difficulty • Approve safeguarding policies and procedures 	<ul style="list-style-type: none"> • Establish and maintain a register of business interests for the Trustee Board • Review annually terms of reference and membership of committees and their effectiveness • Appoint and remove internal and external auditors and the company secretary • Approve the co-option, appointment and removal of persons and Chairs to the LGBs • Elect (or remove) the Chair and Vice Chair of the Board annually • Approve the Scheme of Delegation of powers & responsibilities • Decide any changes in times of school sessions and dates of terms and holidays • Convene an appeals panel to consider appeals regarding decisions of the LGB panels • Approve term times, opening hours & training days 	<ul style="list-style-type: none"> • Approve Trust Finance Policy • Approve the annual budget, allocate finance to individual academies using funding formula allocations • Approve the annual report, returns and accounts • Ensure that all insurances are in place • Inform the appropriate government agency if it suspects any irregularity, approval of any write-offs and other requirements of the EFA & DFE. • Confirm the appointment of contractors / tenders for capital building projects • Ensure that they know the findings of auditor's reports / recommendations 	<ul style="list-style-type: none"> • Approve the TOC of employment • Approve staff discipline, conduct and grievance policy • Confirm the appointments of Deputy Headteacher roles • Review effectiveness of management structure • Workforce remodelling and seeking and ensuring cross-Trust collaborations for efficiency and effectiveness • Ensure that LGBs conduct self-assessment and performance review • Appoint and dismiss the CEO & each of the Trust School's Headteachers • The appraisal of CEO 	<ul style="list-style-type: none"> • Ensure the achievement of standards, delegated to the LGBs, is planned, resourced, tracked and continuously improved with outcomes reported within agreed frameworks to the Trustees • Policies – establish, monitor and review statutory policies and procedures • Report where vulnerabilities are identified in relation to external reports and OFSTED • Review each school's SEF summary report • Scrutinise the outcomes of peer review • Identify areas that would benefit from a MAT wide approaching including sharing good practice, learning resources and approaches • Approve Pupil Premium Strategy

9. THE ROLE OF COMMITTEES

The Trustees can establish committees with delegated authority to make decisions or for the purpose of providing advice and support, informing the overall work of the Trust Board. The terms of reference for a committee will depend on the nature and remit of its function. The Trust Board retains overall accountability and responsibility; committees are not legally responsible or accountable for statutory functions. The Board may appoint committee members and committee chairs. Horncastle Education Trust will use an Audit & Finance Committee with the following delegated functions:

Audit & Finance – meet at least every 6 weeks
<ul style="list-style-type: none">• Follow and implement financial policy and procedures• Ensure the annual internal & external audit is completed and outcomes / recommendations acted upon• Agree budget setting for all academies• Ensure financial monitoring processes are in place and advise LGB on aspects that need attention• Approval of levels of expenditure• Approve Risk Management processes• Monitor building maintenance and estates management for all academies• Recommend to Trustees Board a business management plan / strategy• Agree a H&S policy, monitor risk assessment and establish arrangements to manage health & safety• Ensure all statutory inspections and H&S procedures and policies are implemented• Recommend all capital programmes• Approve H&S policies and monitor across the Trust

TERMS OF REFERENCE of the Audit & Finance Committee

Role

The role of the Audit & Finance Committee is to maintain an oversight of the Trust's governance, risk management, internal control and value for money framework. It will report its findings bi-annually to the Trust Board and the Accounting Officer as a critical element of the Trust's annual reporting requirements.

Authority

The Audit & Finance Committee is a Committee of the Trust Board and is authorised to investigate any activity within its terms of reference or specifically delegated to it by the Trust Board. It is authorised to request any information it requires from any employee, external audit, internal audit or other assurance provider.

The Audit & Finance Committee is authorised to obtain external legal or independent professional advice it considers necessary to fulfil its duties, normally in consultation with the Accounting Officer and/or Chair of the Trust Board.

The Audit & Finance Committee has no executive powers or operational responsibilities/duties.

Duties

- advise the Trust Board and Accounting Officer on the adequacy and effectiveness of the Trust's governance, risk management, internal control and value for money systems and frameworks;
- review the draft audited financial statements and highlight any significant issues to the Board of Trustees, prior to submission to the Secretary of State by 31 December each year;
- review audit provision and make any recommendations to the Trust Board for the appointment, re-appointment, dismissal and remuneration of external auditors;
- recommend the programme for the independent checking of financial controls, systems, transactions and risk. This programme of work is to be derived from the Audit & Finance Committee's regard of the key risks faced by the Trust, the assurance framework in place and its duty to report to the Trust Board;
- review internal audit provision and approve the appointment, re-appointment, dismissal and remuneration of an internal auditor or other assurance provider which are most appropriate to the circumstances of the Trust and as outlined in the Academies Financial Handbook;
- receive the reports on risk and financial controls to review and assess the effectiveness of the financial procedures and internal control;
- receive reports (annual reports, management letters etc.) from the external auditor and other bodies, for example the EFA and NAO, and consider any issues raised, the associated management response and action plans related to referring reports to the Board of Trustees or other committees for information and action where appropriate;

- regularly monitor outstanding audit recommendations from whatever source, ensuring the progress of actions and any delays to implementation dates are reasonable;
- review the Trust's Whistleblowing Policy and ensure that all allegations of fraud or irregularity are managed and investigated appropriately; • consider any additional services delivered by the external auditor or other assurance provider and ensure appropriate independence is maintained; • ensure appropriate cooperation and coordination of the work of the external auditor and responsible officer or other assurance provider;
- The Chair of the Audit & Finance Committee will make contact with the external auditor and responsible officer, without management present, as appropriate.
Administration
- the membership of the Audit & Finance Committee will consist of committee members appointed by the Trust Board and will include:
 - as a minimum 2 Trustees from the Trust Board
 - there is provision for the Trust Board to appoint a person or persons who is not a Trustee to sit on the Audit & Finance Committee
- the Audit Committee will normally be attended by the CEO (Accounting Officer) and the CFO (Chief Financial Officer).

10. LOCAL GOVERNING BODIES (LGBs)

Horncastle Education Trust believes that the governors of each Trust School are best able to meet and understand the needs of their school and the local community they belong to and that governance should be as close as possible to the point of impact of decision-making. The structure of the LGB will be set out in terms of reference. The recommended structure of LGBs is similar to current composition of school Governing Bodies. If a LGB has a greater number of governors over and above the recommended number of up to 11 governors at the point joining the MAT they must take steps to attain the optimum number at the earliest opportunity. This can be achieved through natural wastage i.e. resignation or term of office expiring.

As a key principle of the Horncastle Education Trust is that we recognise that LGBs plays a critical role to ensure each school delivers quality performance and upholds the values our educational community represents. LGBs know their school best and are an integral partner to our Trust's continued improvement. The Trust Board will have responsibility for establishing LGBs, appointing the Chair, ensuring parents governors are elected and will determine what will be delegated. Typically, responsibilities will include:

- Recruitment of staff with shared responsibility for recruitment of a Headteacher
- Building an understanding of how the school is led and managed
- Monitoring whether the school is:
 - Working within agreed policies
 - Is meeting the agreed targets
 - Managing its finances well
 - Reporting to the Trust Board
- Delivering on its curriculum objectives to provide a broad and balanced curriculum which meets the needs of its pupils
- Ensuring highly effective communication with parents, the wider community and key stakeholders.

If a school working with the Horncastle Education Trust is deemed to be in need of improvement, or be at risk of underachievement, delegation can be removed at any time. The Trust Board is committed whenever possible and appropriate to individual schools within the Trust sustaining their distinctive ethos and character with strong and effective LGBs working to support their Headteacher. The Trust Board delegates the running of the school to the LGB to take responsibility for supporting the school and its leadership team. LGBs may establish sub-committees as is desirable to carry out its duties and responsibilities.

Strategy	Governance	Finance	People & Leadership	Standards
<ul style="list-style-type: none"> • Set aims & objectives for the Trust School • Develop and implement a School Improvement plan (incorporating any OFSTED priorities) in consultation with the Trustees 	<ul style="list-style-type: none"> • Trustees delegate responsibility for improving: • Effectiveness of leadership & management • Quality of teaching, learning & assessment • Personal development, behaviour & welfare • Outcomes for learners • Form the following panels when required: complaints, discipline & grievance, pupil discipline & exclusion. 	<ul style="list-style-type: none"> • Maintain a fixed asset register and notify the Trustees of any changes • Comply with statutory regulations and the Funding Agreements • Recommend the annual budget to the Trustees and once approved monitor expenditure against it. 	<ul style="list-style-type: none"> • Ensure that all staff receive a regular appraisal of their performance • Appoint one governor (usually the Chair) to be part of the Trustee panel who carries out the Headteacher's appraisal • Contribute to the research and preparation of the school's annual self evaluation including the analysis of relevant performance data • Recommend and implement the Trust school's admissions policy in accordance with the Admission Code and the law. 	<ul style="list-style-type: none"> • Implement a local, relevant curriculum • Ensure high quality teaching, learning and assessment takes place and is continuously improved

11. THE ROLE OF THE CHIEF EXECUTIVE OFFICER (CEO) (EXECUTIVE HEADTEACHER)

The CEO (Executive Headteacher) is appointed by the Trust Board and has the delegated responsibility for the operation of the Horncastle Education Trust including the performance of its schools. The role of the CEO (Executive Headteacher) is to provide professional leadership, strategic management and strategic direction for the Trust and its schools. The CEO (Executive Headteacher) reports to the Trust Board and complies with any reasonable direction by the Board when acting on the Trust's behalf.

The CEO (Executive Headteacher) is the Accounting Officer so has overall responsibility for the operation of the Trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money. The role includes having high standards of probity in the management of public funds especially in relation to value for money, regularity and propriety. The CEO (Executive Headteacher) may delegate or appoint others such as the Chief Finance Officer to assist in carrying out the functions of the Accounting Officer.

The Role of Accounting Officer

The CEO (Executive Headteacher) in the role of Accounting Officer must ensure there are adequate controls and oversight of the financial management of the Trust. They must satisfy themselves that:

- Budgets are being used as Parliament intended
- They are confident that high standards of conduct and behaviour are being maintained in the governance of the Trust
- That Value for Money is being achieved

In broad terms the CEO (Executive Headteacher) is responsible for:

- The internal organisation, management and control of the Trust
- Advising on and implementing the Trust's strategic framework
- The implementation of all policies approved by the Trust Board

- Formulating aims, objectives, policies and targets for the Trust Board to consider
- Reporting to the Trust Board on progress at each meeting
- The Accounting Officer for the Trust

The Trust Board is permitted to exercise all the powers of the Horncastle Education Trust. The Trust Board will delegate to the CEO (Executive Headteacher) responsibility for the day to day operations of the Trust. It is the role of the Trust Board to act as a critical friend to the CEO (Executive Headteacher). The relationship between the Trust Board and CEO (Executive Headteacher) should be one of mutual trust, confidence and candour if the Trust is to succeed.

The Trust Board must ask questions to satisfy themselves that the Trust is being properly run and the CEO (Executive Headteacher) should provide them with sufficient information to ensure that they are fulfilling their duties properly and expeditiously. The CEO (Executive Headteacher) when exercising professional judgement acts not only as the CEO of the Trust but also as an advisor to the Trust Board. Accordingly, the Trust Board should follow the CEO's (Executive Headteacher's) advice unless they have good reason not to do so.

A primary function of the CEO (Executive Headteacher) is to support and challenge the Headteachers of the Trust's schools so that their focus can remain on their core business of teaching and learning.

The CEO's (Executive Headteacher's) appraisal is the responsibility of the Trust Board delegated through the Pay and Personnel Committee. This should be carried out annually in line with the appropriate appraisal timescale. Issues around the performance of the CEO (Executive Headteacher) should be raised directly with the Chair of the Trust Board.

12. THE EXECUTIVE LEADERSHIP TEAM (ELT)

The ELT comprises the CEO (Executive Headteacher), the Chief Financial Officer (CFO) and individual Headteachers of the Trust Schools. In fulfilling the role of CEO (Executive Headteacher), assistance is provided by the ELT. Led by the CEO (Executive Headteacher) and accountable to the Trust Board for its performance, the ELT will have executive management functions delegated to it.

The CEO (Executive Headteacher) is responsible for the appraisal of all Headteachers across the Trust in conjunction with the Chair of Governors from the relative Local Governing Body.

The CEO (Executive Headteacher) delegates to the Chief Financial Officer (CFO) the day-to-day oversight and implementation of the budget alongside the development and policy coordination of the business plan and its implementation. The CEO (Executive Headteacher) can delegate across the ELT such functions as may be reasonably considered appropriate.

13. THE ROLE OF THE HEADTEACHER

A Headteacher is responsible for both strategic and operational leadership of the school they are leading and reports directly to their LGB on matters which have been delegated to them. They carry both school and Trust wide priorities and have a responsibility to ensure each school's voice is heard across the Trust. Headteachers are line managed by the CEO (Executive Headteacher) which includes their appraisal in conjunction with representation from the relative LGB. Every Headteacher working for the Horncastle Education Trust will take on a strategic role within the Horncastle Education Trust that will be linked to the Trust's priorities.

December 2018, Version 7

APPENDIX A: FINANCIAL SCHEME OF DELEGATION

Authorisation Limits

The following levels of authorisation have been delegated to process purchase orders or invoices.

Purchase Orders/Invoices

Budget Holders	£ 2,000 or within remaining budget limit whichever is lower
Assistant Headteacher	£25,000 <i>invoice authorisation for examinations only</i>
CFO/Deputy Head	£25,000
CEO (Executive Headteacher) /Headteacher	£50,000

Official orders are the preferred method of purchasing because they ensure that commitments are reflected within budgets.

Charge Cards

Charge cards are only used in circumstances where payment is required in advance. Authorisation of the budget holder must still be obtained as set out above. Cards are held and managed by the Finance Team. The monthly limit on each card is £1,500. A log of purchases is maintained by the Finance Team in order to ensure each card does not exceed its limit.

Petty Cash

A petty cash fund is held in each school up to a maximum value of £500. This should be used for minor purchases and reimbursements of no more than £25. Authorisation of the budget holder must still be obtained as set out above. The cash tin should be kept locked and stored in the safe overnight.

Refunds of personal spending for purchase of equipment or goods for school (excluding own expenditure)

Budget Holder	£ 2,000
CEO (Executive Headteacher) /Headteacher	£10,000

Reimbursement of travel expenses and related subsistence (excluding own expenditure)

Deputy Head (for CPD expenses)	£ 1,000
CEO (Executive Headteacher) /Headteacher	£10,000

NB. Refunds for items without a receipt will only be made in exceptional circumstances and must be approved by the budget holder and Headteacher. Expenses will normally be reimbursed on the basis of the most economical means of transport, comparisons will be made between rail and road. Any exceptions must be approved in advance by the Headteacher. All staff are reminded that they should not use loyalty cards when purchasing items on behalf of the trust to avoid any instance where personal gain could be realised through either points or /cash values.

It is on rare occasions that the purchase of alcoholic beverages is permitted. These include instances such as annual senior prize giving where local dignitaries and community leaders are invited to celebrate achievements. The Headteacher oversees the authorisation all such purchases which are modest and proportionate to the occasion.

Purchasing

Purchasing will be conducted as follows:

- Items/services valued at more than £ 5,000 - 3 quotes to be obtained.
- Items/services valued at more than £10,000 - tendering process to be used.

Forms of Tenders

There are three forms of tender procedure: open, restricted and negotiated and the circumstances in which each procedure should be used are described below.

Open Tender: This is where all potential suppliers are invited to tender. The budget holder must discuss and agree with the CFO how best to advertise for suppliers e.g. general press, trade journals or to identify all potential suppliers and contact directly if practical.

Restricted Tender: This is where suppliers are specifically invited to tender. Restricted tenders are appropriate where:

- there is a need to maintain a balance between the contract value and administrative costs,
- a large and unmanageable number of suppliers would come forward
- the nature of the goods are such that only specific suppliers can be expected to meet the requirements,
- the costs of publicity and advertising are likely to outweigh the potential benefits of open tendering.

Negotiated Tender: The terms of the contract may be negotiated with one or more chosen suppliers. This is appropriate in specific circumstances:

- the above methods have resulted in either no or unacceptable tenders,
- only one or very few suppliers are available,
- extreme urgency exists,
- additional deliveries by the existing supplier are justified.

Tender process

When preparing a tender, full consideration should be given to the objective of project, overall requirements, technical skills required, after sales service requirements and the form of contract.

It may be useful after all requirements have been established to rank them (e.g. mandatory, desirable and additional) and award marks to suppliers on fulfilment of these requirements to help reach an overall decision.

A tender brief must always be prepared and is reviewed by the CFO.

If a restricted tender is to be used then an invitation to tender must be issued. If an open tender is used an invitation to tender may be issued in response to an initial enquiry. An invitation to tender should include the following:

- introduction/background to the project
- scope and objectives of the project
- technical requirements
- implementation of the project
- terms and conditions of tender
- form of response including deadline
- dates for decision and work to be delivered

All tenders should be stored securely and when opened, witnessed by more than one individual. The evaluation process should involve at least two people. Those involved should disclose all interests, business and otherwise, that might impact upon their objectivity. If there is a potential conflict of interest then that person must withdraw from the tendering process.

Those involved in making a decision must take care not to accept gifts or hospitality from potential suppliers that could compromise or be seen to compromise their independence. Full records should be kept of all criteria used for evaluation.

Tenders to the value of £25,000 can be approved by the Finance & Audit Committee. Higher values should be referred to the Trust Board.

Acceptance should be based upon the assessment of successfully meeting the tender requirements and the principles of best value should be applied. It is acknowledged that the preferred supplier may not necessarily be the lowest cost.

Fixed Assets

Fixed assets should be capitalised if they are above of the agreed deminimus level of £5,000. Buildings would only be capitalised if they were a new building, unless otherwise decided by the Trust Board or if directed to by the ESFA.

Depreciation of fixed assets, excluding buildings, should be on a straight line basis and in line with their useful economic life. Consideration and approval of the disposal of fixed assets will be delegated as follows:

- Items valued at less than £10,000 - approval by the Finance & Audit Committee
- Items valued at more than £10,000 - approval by the Trust Board
- Land, buildings or heritage items - approval is sought from the ESFA

Virements

Virements reflect in year changes of allocation between budgets and therefore may represent a revised budget. The limits and policy for approval are as follows:

- Up to £5,000 - the CFO is given delegated power to vire from one budget to another at this level.
- Between £5,001 - £10,000 - approval by the CEO (Executive Headteacher).
- Between £10,001 - £20,000 - approval by the Finance & Audit Committee.
- More than £20,000 - approval by the Trust Board

Debt Write Off

The following write off limits apply:

- Up to £500 - CEO (Executive Headteacher)
- £500 - £1,000 - Finance & Audit Committee
- Over £1,000 - Trust Board

Care should also be taken to ensure any write off does not exceed the cumulative figure permitted within the Academy Financial Handbook.

Appendix B: Roles & Function Matrix & Scheme of Delegation



ROLES & FUNCTION MATRIX

Governance				
Members	Trustees	LGB	CEO/CFO/ELT	Headteacher & SLT
<ul style="list-style-type: none"> To review and amend the Articles of Association To change the name of the Trust To receive an annual report from the Trustees and the CEO on the Trust's performance 	<p>To review and amend:</p> <ul style="list-style-type: none"> The Terms of Reference for the Trust Board The Constitution and Terms of Reference of the Local Governing Bodies (including those relating to Intervention Boards) The Scheme of Delegation This Roles and Functions Matrix To determine the Board's Reserved Matters To determine the educational character, mission and ethos of the Trust To appoint a Clerk to the Trustees To review and amend the policies of the Trust 	<ul style="list-style-type: none"> To champion the vision and values in the academy and to ensure the spiritual wellbeing of the students To determine the educational and spiritual character, mission or ethos of a particular academy (to the extent that it is not inconsistent with that of the Trust) in collaboration with the Headteacher. To ensure that the school has a medium to long-term vision for its future and that there is a robust strategy in place for achieving its vision. To appoint (and remove) from its number: chair, vice-chair and local governors with specific responsibilities for special educational needs, child protection, 	<ul style="list-style-type: none"> To attend meetings of the Trustees (CEO & CFO) and to provide a CEO's report. To support the appointment process for the Clerk. To secure professional advice on behalf of the Trustees as may be requested. To support the Trustees and the academies in the preparation of Trust-wide and academy specific policy requirements. 	<ul style="list-style-type: none"> To implement the educational character, mission or ethos of a particular academy (to the extent that it is not inconsistent with that of the Trust) as determined by the LGB. To attend meetings of the LGB and to provide a Headteacher's report. To support the appointment process of the Clerk To tailor Trust-wide policies to academies as recommended by or in consultation with the CEO & CFO

		<p>pupil premium and financial matters</p> <ul style="list-style-type: none">• To appoint a Clerk to the LGBs To implement Trust policies and where there are specific school policies, review and amend the policies of the academies (in line with any Trust prescribed policy)• To monitor a means whereby the academy can receive and react to student, parent and staff feedback• To establish and maintain a relationship with members of the local community		
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Finance				
Members	Trustees	LGB	CEO/CFO/ELT	Headteacher & SLT
<ul style="list-style-type: none"> To appoint external auditors 	<ul style="list-style-type: none"> To appoint internal auditors To receive and respond to external and internal audit reports To sign off annual accounts and report To approve the financial scheme of delegation To approve the annual budget for the Trust To approve any significant changes to the approved budget To monitor income, expenditure, cash flow and the balance sheet of the Trust To retain an overview of the Trust Declaration and 	<ul style="list-style-type: none"> To appoint a Local Governor responsible for finance To approve the annual budget for the academy To monitor the income, expenditure and cash flow for the academy To ensure any variances from the budget are reported to the Trust Board To ensure proper financial controls are in place at the academy To ensure the Trust Declaration and Conflicts of Interest register remains up-to-date 	<ul style="list-style-type: none"> To prepare the annual budget for the Trust To monitor the income, expenditure, cash flow and balance sheet of the Trust To prepare monitoring reports for the Trustees. CEO to act as the Accounting Officer To ensure proper financial controls are in place To ensure the Trust Declaration and Conflicts of Interest register remains up-to-date To set up and approve staff expenses for the ELT To open bank accounts 	<ul style="list-style-type: none"> To ensure the preparation of the annual budget for the academy in consultation with the CEO & CFO To monitor the income, expenditure and cash flow of the academy To prepare monitoring reports for the LGBs To ensure proper financial controls are in place at the Trust School To ensure provision of free school meals to those students meeting the criteria To set up and approve staff expenses at the Trust School (e.g. overtime, travel, interview expenses,

	<p>Conflicts of Interest register</p> <ul style="list-style-type: none"> • To establish a charging and remissions policy and keep this under review. • To appoint an Accounting Officer • To appoint the Chief Financial Officer • To ensure proper financial controls are in place • To maintain a register of business interests • Approve and oversee senior leadership pay progression and pay reviews. • Oversight of pay progression and the associated salary forecasts for the Trust. • Approval of pay scale reviews and inflationary uplifts across the Trust, ensuring adherence 	<ul style="list-style-type: none"> • To ensure provision of free, pupil premium and financial matters school meals to those students meeting the criteria. • Monitor adherence to Trust pay related policies (e.g. Pay Policy and Performance Management). • Ensure benchmarking and school value for money in line with the Trust's policy • Develop and implement an efficiency savings programme in line with the Trust's policy 	<ul style="list-style-type: none"> • Advise on pay decisions relating to performance related pay progression. • Review of HR pay related policies and procedures (e.g. Pay Policy and Performance Reviews), advising the Headteachers and the LGBs on their implementation. • Develop a trust-wide procurement strategy and efficiency savings programme 	<p>performance reviews and pay progression - all in line with the relevant Trust policies).</p>
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	<p>to legal and statutory requirements.</p> <ul style="list-style-type: none">• Annual review of the Trust Pay Policy.• Ensure benchmarking and Trust value for money• Review & approve a trust-wide procurement strategy and efficiency savings programme			
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Safeguarding				
Members	Trustees	LGB	CEO/CFO/ELT	Headteacher & SLT
	<ul style="list-style-type: none"> • To adopt a Trust-wide Safeguarding and Child Protection policy • To adopt a Trust-wide policy regarding school trips 	<ul style="list-style-type: none"> • To appoint a designated governor for safeguarding and looked after children • To review and maintain a Safeguarding and Child Protection policy for the Academy (consistent with the Trust-wide policy) • To ensure the completion of the single central record and its regular updating. • To approve off-site visits for students of more than 24 hours 	<ul style="list-style-type: none"> • To ensure that each Trust Schools has appointed a designated teacher to support looked after children • To make arrangements for safeguarding audits to be conducted by an independent person / group • To report to the Trustees on the procedures in place for safeguarding and on matters as they arise. 	<ul style="list-style-type: none"> • To appoint a designated teacher to support looked after children and to ensure the role is compliant with statutory guidance • To maintain the single central record • To appoint a Safeguarding and Deputy Safeguarding Officer

Admissions				
Members	Trustees	LGB	CEO/CFO/ELT	Headteacher & SLT
	<ul style="list-style-type: none"> • Approve the Admission policy for each Trust Schools 	<ul style="list-style-type: none"> • To undertake consultation, publish admissions and determine arrangements as required in accordance with the School Admissions and Appeals Code • To make arrangements for determining admissions and hearing admission appeals • To ensure effective arrangements are in place for student recruitment, including the prospectus 	<ul style="list-style-type: none"> • To provide an oversight and support of the implementation of the admissions arrangements across the Trust 	<ul style="list-style-type: none"> • To provide direction to the LGB as to requirements under the Schools Admissions and Appeals Code. • To ensure compliance with School's admission policy • To make arrangements for determining admissions and hearing admission appeals • To ensure participation in the fair access protocol • To develop the Academy Prospectus, consistent with the Trust's

Behaviour				
Members	Trustees	LGB	CEO/CFO/ELT	Headteacher & SLT
	<ul style="list-style-type: none"> • To adopt a Trust-wide behavior policy • To monitor and review the use of exclusions across the Academy Trust 	<ul style="list-style-type: none"> • To adopt and ensure the implementation of a Behaviour Policy for the Trust School • To convene a committee to review any exclusion of a student. • To ensure effective processes are in place to monitor the quality assurance of behaviour and safety of students 	<ul style="list-style-type: none"> • To prepare a Trust-wide Behaviour Policy for adoption by the Trustees • To review the overall pattern of exclusions and to report to the Trustees • To monitor the KPI figures reported from the Headteachers relating to behaviour and safety of students.. 	<ul style="list-style-type: none"> • To prepare a Behaviour Policy for the Trust School for adoption by the LGB • To exclude a student for a fixed term or permanently. • To report the KPI figures to the ELT and the LGB relating to behaviour and safety for students

Contracts				
Members	Trustees	LGB	CEO/CFO/ELT	Headteacher & SLT
<ul style="list-style-type: none"> • To approve any service contracts for Trustees 	<ul style="list-style-type: none"> • To adopt a Trust-wide procurement policy • To set the delegated levels of authority for contracts • To approve contracts as per limits of financial delegation. • To approve contracts which constitute related party transactions • To set up and approve Trustee expenses in accordance with the Trust Declarations and Conflicts of Interest Policy 	<ul style="list-style-type: none"> • To enter into contracts up to the limits of delegation and within an agreed budget • To support the Trust Board in its monitoring and evaluation of the delivery of any central services and functions provided or procured by the Trust School for the school. 	<ul style="list-style-type: none"> • To enter into contracts up to the limits of delegation and within an agreed budget • To make payments within agreed financial limits • Monitor third party performance against contract specifications 	<ul style="list-style-type: none"> • To make payments within agreed financial limits • To enter into contracts up to the limits of delegation and within an agreed budget • To act as a signatory of any Trust School specific bank account • Monitor third party performance against contract specifications

Curriculum and Standards

Members	Trustees	LGB	CEO/CFO/ELT	Headteacher & SLT
<ul style="list-style-type: none"> To receive an annual report from the Trustees and the CEO on standards 	<ul style="list-style-type: none"> To determine a Trust-wide curriculum policy to ensure provision of a balanced and broadly based curriculum and to include: <ul style="list-style-type: none"> ➤ A prohibition on political indoctrination and a balanced treatment of political issues; and ➤ A written policy on sex and relationship education. To determine a Trust-wide policy on religious education and collective worship. To receive a report from the CEO regarding standards. 	<ul style="list-style-type: none"> To approve the curriculum proposed by the Headteacher (to the extent that it is consistent with the Trust-wide policy) To ensure effective processes are in place for monitoring the quality assurance of teaching and learning, the curriculum, inclusion and the sharing of good practice across the Trust School. To monitor the KPI figures reported from the Headteacher relating to standards To develop, monitor and approve the Trust School Development Plan 	<ul style="list-style-type: none"> To provide oversight of the implementation of the Trust-wide curriculum policy. To provide a report to the Trustees regarding standards To provide an oversight of the target setting for student achievement and progress by the Headteachers and monitor against targets. To monitor the KPI figures reported from the Headteachers relating to standards. 	<ul style="list-style-type: none"> To ensure the curriculum is delivered at the Trust School including compliance with any funding agreement requirements To implement Trust policy on religious education and collective worship To set targets for student achievement and progress and monitor against targets To report KPI figures for the CEO and the LGB relating to standards. To prepare a draft Trust School Development Plan for approval by the LGB

Other Student Related Matters

Members	Trustees	LGB	CEO/CFO/ELT	Headteacher & SLT
	<ul style="list-style-type: none"> • To receive a report from the CEO / ELT regarding standards (to include attendance) • To adopt a Trust-wide Complaints Policy and receive reports from the CEO / ELT regarding the level of complaints across the Academy Trust • To adopt a Trust-wide FOI/SAR Policy and receive reports from the CEO / ELT regarding the level of FOIs/SARs across the Academy Trust 	<ul style="list-style-type: none"> • To review attendance and student absences (as part of the KPIs) • To appoint a Local Governor responsible for Pupil Premium • To monitor the impact of the pupil premium in the Academy • To adopt the Trust Complaints Policy and the Trust FOI Policy • To hear complaints at the relevant stage • To ensure effective arrangements are in place for student support and representation at the Trust School • To review the level of complaints 	<ul style="list-style-type: none"> • To monitor the levels of attendance in the Academies and the use of Home-School agreements and reports termly to the Trustees • To monitor the impact of the pupil premium across the Academy Trust • To review the level of complaints, FOIs and SARs across the Academy Trust 	<ul style="list-style-type: none"> • To maintain a register of student attendance • To report on attendance and student absences (as part of the KPIs) • To review and maintain Home-School agreements • To set the times of school sessions and the dates of school's terms and holidays • To ensure that the Trust School meets for 380 sessions in an academic year • To ensure effective deployment of the pupil premium and to monitor its impact • To implement the Trust Complaints Policy and to hear complaints at the relevant stage

		<ul style="list-style-type: none"> • To ensure Trust's policies on all HR matters are implemented in the Trust School • To monitor and scrutinise the implementation of the Trust's policies at the Trust School for HR matters including the appointment, induction and performance management of staff, pay review processes and procedures for dealing with disciplinary matters, performance, grievances and dismissal. 	<ul style="list-style-type: none"> • To approve applications for early retirement and extended leave of absence • Adhere to the responsibilities delegated through the Scheme of Delegation. 	<ul style="list-style-type: none"> • To recommend to the CEO and Trust Board applications for early retirement and extended leave of absence • To approve applications for secondment and short-term leave of absence, with advice from the CEO.
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Health, Safety, Risk and Estates (Site)

Members	Trustees	LGB	CEO/CFO/ELT	Headteacher & SLT
	<ul style="list-style-type: none"> • To appoint an Audit & Finance Committee • To review risk management utilising a risk register • To approve insurance arrangements • To review and maintain a buildings strategy and asset management planning arrangements. • To adopt a Trust-wide health and safety policy • To adopt a Trust-wide lettings policy. • To approve capital investments in line with the Trust Estates Strategy 	<ul style="list-style-type: none"> • To appoint a Local Governor responsible for health and safety • To review the risk register of the Trust School and oversee the School's risk report for the Trust Board. • To adopt a health and safety policy for the Trust School (in-line with the Trust-wide policy) • To review the implementation of the above policy and ensure that appropriate risk assessments are being carried out in the Trust School. • To conduct site inspections to review any health and safety issues and the security 	<ul style="list-style-type: none"> • To prepare and maintain the risk register for the Academy Trust. • To procure buildings and related insurance and make proposals to the Trustees. • To prepare a buildings strategy and asset management planning arrangements. • To propose a Trust-wide Health and Safety Policy for the Trustees' approval. • To monitor and support the implementation of the Trust-wide Health and Safety Policy 	<ul style="list-style-type: none"> • To prepare the risk register for the LGB having regard to the risks identified by the Trust. • To prepare a Health and Safety Policy for the Trust School (in line with the Trust-wide policy) for adoption by the LGB. • To monitor the accident log and agree appropriate actions. • To ensure suitable risk assessments are prepared and appropriate actions taken. • To review security of premises and equipment. • Review sickness absence, looking for

		<p>of premises and equipment.</p>	<ul style="list-style-type: none"> • To draw up, agree and monitor an accessibility plan for each Trust School in consultation with the Headteacher. 	<p>any trends and mitigating risks wherever possible, ensuring absence related to illness and injury is minimised wherever possible.</p> <ul style="list-style-type: none"> • To implement the Trustwide lettings policy
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Information Management, Communication & GDPR				
Members	Trustees	LGB	CEO/CFO/ELT	Headteacher & SLT
	<ul style="list-style-type: none"> To adopt appropriate policies to ensure adherence to legal and statutory requirements, including <ul style="list-style-type: none"> All GDPR requirements including the requirement to seek explicit consent, notify individuals as to how information is to be used and ensure data remains accurate, timely and that it is used for the purposes consent has been provided for the matter of safe storage and destruction. 	<ul style="list-style-type: none"> To review ensure the effective implementation of GDPR policies and procedures in the Trust School. To ensure systems are in place in line with the Trust's strategy at the School for effective communication with students, parents or carers, staff and the wider community. 	<ul style="list-style-type: none"> To ensure compliance with all freedom of information and GDPR legislation and good practice across the Trust Schools. To support the individual academies on the effective safe storage or data. To maintain accurate and secure staff records. To ensure registration with the Information Commission 	<ul style="list-style-type: none"> To ensure publication of Trust School information, ensuring that all electronic communication, including web pages are up to date. To maintain accurate and secure student records. To maintain accurate and secure staff records for the Trust School. To ensure compliance with all GDPR legislation and good practice in the Trust School. Ensure the Governance Clerk is aware of all Freedom of Information and Subject Access Requests

Special Educational Needs (SEND)				
Members	Trustees	LGB	CEO/CFO/ELT	Headteacher & SLT
<ul style="list-style-type: none"> To receive an annual report from the Trustees and the CEO on standards 	<ul style="list-style-type: none"> To determine a Trust-wide SEN and Disability Discrimination Act Policy To ensure an annual SEN Report is produced by each academy 	<ul style="list-style-type: none"> To appoint a Local Governor responsible for SEND and inclusion To review and maintain the Trust School's SEND policy and to review annual SEND Report. To provide oversight of the implementation of the policy within the Trust School and compliance with the Disability Discrimination Act requirements 	<ul style="list-style-type: none"> To provide oversight of the implementation of the Trust-wide SEND policy To ensure compliance with the Disability Discrimination Act requirements within the Trust Schools 	<ul style="list-style-type: none"> To designate a teacher to be responsible for coordinating SEND provision To liaise with the local authority in respect of students who have (or might have) SEND To make provision for SEND students with or without a statement or Education, Health and Care plan To ensure compliance with the Disability Discrimination Act requirements within the Academy To produce the annual SEND Report

Workforce				
Members	Trustees	LGB	CEO/CFO/ELT	Headteacher & SLT
	<ul style="list-style-type: none"> • To define any overarching management structures across Trust and budget • To adopt Trust-wide employment policies and procedures • To appoint, suspend and dismiss the CEO • To conduct the performance management of the CEO • To appoint, suspend and dismiss the Clerk 	<ul style="list-style-type: none"> • To participate in the process to appoint the Head teacher as requested by the CEO (acting with the delegated authority of the Trust Board) and to take part in the performance management of the Headteacher • To support the Headteacher in the development and review (from time to time) of an appropriate staffing structure for the Trust School and for the appointment of Trust School staff to ensure that the school is fully staffed in accordance with that structure. 	<ul style="list-style-type: none"> • To determine the senior leadership and nonteaching structures for each Trust School and the Trust • To advise the Trustees on suitable Trust-wide policies and procedures and to ensure their effective implementation • To monitor and review workforce changes across the Trust and within academies • The CEO will conduct the performance management review of the Trust ELT with support from the Trust Board 	<ul style="list-style-type: none"> • To determine workforce requirements, undertaking careful workforce planning including workforce risk management within each Trust School and budget • To implement the Trustwide policies and procedures in the Trust School • To appoint teaching and non-teaching staff • To suspend teaching or associate staff in consultation with the CEO and HR Advisor • To conduct the performance management of staff in the Trust School

Appendix C: HR Levels of Authority

Appointment Panels

All appointment panels must contain at least one member who has undertaken Safer Recruitment Training. The table below represents the minimum expectation for the composition of appointment panels. The CEO can nominate an alternative representative should anyone be unavailable for an appointment panel.

Post	Panel composition	Appointment approval
CEO	1 Member & 2 Trustees	Trust Board
CFO	CEO & 2 Trustees	Trust Board
Headteacher	CEO, 2 Trustees & 2 Governors	Trust Board
Deputy Headteacher	CEO, Headteacher & 3 Governors	Trust Board
Assistant Headteacher & Support Staff SLT	Headteacher & 2 Governors and agreed by CEO	Local Governing Body
Middle Leaders / Middle Managers	Headteacher & 1 Governor and Deputy Head as agreed by CEO	Local Governing Body
Central Finance Team	CFO & 1 Trustee and one other as agreed with CEO	Trust Board
All other Teaching & Support Staff	Headteacher & 1 Governor and one other as agreed with CEO	Local Governing Body

Potential Dismissals

For all potential dismissals the following delegation model shall apply:

- Disciplinary
- Capability (professional competence)
- Ill Health Capability
- Redundancy (The Trust Board will have determined that there is a redundancy situation)
- Some other substantial situation

Post	Delegated Authority	Appeal
CEO	3 Trustees or Members	3 Trustees or Members
CFO	2 Trustees or Members and CEO	3 Trustees or Members
Headteacher	3 Trustees, Members or Governors	3 Trustees, Members or Governors
Deputy Headteacher/ Assistant Headteacher / SLT Support	2 Trustees or Members and CEO	3 Trustees, Members or Governors
All other staff	2 Trustees, Members of Governors and CEO	3 Trustees, Members or Governors

Grievance

Post	Delegated Authority	Appeal
CEO	3 Trustees	3 Members
CFO	CEO	3 Trustees or Members
Headteacher	CEO	3 Trustees or Members
Deputy Headteacher/ Assistant Headteacher / SLT Support	Headteacher	CEO
All other staff	Headteacher	CEO

Other HR Functions

Function	Delegated Authority
Settlement agreements up to and including £10,000	CEO & CFO with advice from HR Company agree terms
Settlement agreements between £10,001 - £49,999	CEO & CFO with advice from HR Company agree terms. Chair of Trust Board to sign.
Settlement agreements in excess of £50,000	Approval sought from the EFSA / HM Treasury

Performance Management and Pay Progression	Delegated Authority
CEO	Trust Board as detailed in the Trust Pay Policy and Appraisal Policy
Headteachers	Trust Board as detailed in the Trust Pay Policy and Appraisal Policy
Deputy Heads, Assistant Heads & Support Staff SLT	Trust Board as detailed in the Trust Pay Policy and Appraisal Policy
All other staff	Trust Board as detailed in the Trust Pay Policy and Appraisal Policy
Staffing changes	Delegated Authority
Staffing re-structures	CEO, Headteachers and Local Governing Bodies (working within financial parameters as agreed by CFO)
Creation of new posts with a salary above £50,000	Trust Board
Creation of new posts with a salary between £20,000 and £49,999	CEO working with Headteacher and on advice from CFO and HR
Creation of new posts with a salary below £20,000	Headteacher on advice from CEO, CFO and HR
Changes or revisions to pay and conditions	Trust Board
Decisions to make redundancies	Trust Board on recommendation from LGB, CEO and HR
Authorisation of redundancy / early retirement payments	CEO with recommendation from CFO and HR as long as redundancies were approved by the Trust Board
Determination for CEO and Headteachers pay range	Trust Board
Determination of CFO's pay range	Trust Board on recommendation from CEO and HR
Determination of pay ranges for Senior Leadership Team members	Trust Board on recommendation from CEO and HR
Determination of pay ranges for all other staff	CEO on recommendation from Headteacher, CFO and HR

Appendix D: Composition of Trust Board and Local Governing Bodies

Composition of the Trust Board

Type of Member	Number	Term of Office	How they are elected
Chair and Vice Chair	2	Maximum 6 years	Appointed by Members and elected by Trust Board
Trustee	Up to 11	4 years	Appointed by Members
Governance Clerk	1	Indefinite	Appointed by the CEO and appointment approved by the Trust Board

There will be a maximum of 11 Trustees, including the Chair and Vice Chair and they will cover, as a team, the following specialisms: HR; Estates, Health and Safety; Strategic Partnerships and Public Relations; Constitutional Governance; Leadership and Policy; Education, Performance and Curriculum; Audit; Safeguarding; Legal; IT and Risk and; Finance.

Composition of the Trust School LGBs

Type of Member	Number	Term of Office	How they are elected
Chair and Vice Chair	2	Maximum 6 years	Appointed by LGB
Governor	To a maximum of 7	4 years	Appointed by the Trust Board
Staff Governor	2	4 years	Nomination and Interview to be organised by the relevant Trust School.
Parent Governor	2	4 years	Nomination and Interview to be organised by the relevant Trust School.
Governance Clerk	1	Indefinite	Appointed by Trust School

There will be a maximum of 11 Governors, including the Chair and Vice Chair, Staff and Parent Governors. The LGB will nominate specific Governors to oversee Finance, SEND/Inclusion, Safeguarding and Looked After Children, Pupil Premium and health and safety. Staff Governors have a term of office of 4 years and they will automatically step down if they leave the school.

Parent Governors have a term of office of 4 years and they won't automatically step down if their child leaves the school and they are no longer a parent of a student of the school. However, if the maximum number of Governors has been met and there are less than 2 Governors on the LGB that are parents, at that point the Governor may be required to step down to enable the school to find another Parent Governor.

APPENDIX E: TRUSTEES AND MEMBERS CODE OF CONDUCT

This code of practice is designed to set out the conduct required of Trustees and Members in order to ensure the highest standards of conduct and behaviour enshrined in the Nolan Principles. All Trustees and Members are expected to follow the Seven Principles of Public Life set out by the Parliamentary Committee on Standards in Public Life (the Nolan Principles) in May 1995.

General Responsibilities

“Trustees must act reasonably and prudently in all matters relating to the Charity and must always bear in mind the interests of the Charity. They should not let their personal views or prejudices affect their conduct as trustees”. (The Essential trustee: what you need to know (CC3), Charity Commission, February 2008).

“The primary duty of a trustee is to carry out the function of his or her office with the utmost good faith. He or she must be impartial and mindful of the interests of the beneficiaries of the Charity and of the objects for which the Charity is established” (Governance and management of charities, Andrea Hind, NCVO Publications, 1995).

Matters and materials discussed at Meetings: *The following principles apply equally to the conduct of Trustees or Members and in Trust Board Meetings or in Members’ Meetings*

- Whilst the Board aims to conduct its business openly, it is inevitable that some matters must be confidential either for a time or always. All materials circulated prior to meetings or tabled at meetings should be carefully looked after and kept securely.
- All matters discussed at Board meetings should be treated as strictly confidential and should not be discussed with anyone other than those present in the meeting unless authorised by the Board to do so or until the minutes have been made public. If in any doubt, always seek clarification from the Chair.
- In Trust Board meetings, discussion, debate and constructive challenge are actively encouraged; trustees are expected to be simultaneously curious and sceptical. Trustees must act with probity taking professional advice and guidance where and when appropriate.
- Having given the CEO (Executive Headteacher) delegated authority, Trustees should be careful individually and collectively, not to undermine that authority either by word or action.
- Consensus cannot always be achieved and decisions should be taken by calling for a vote by those present. The Clerk will make a note of the number of trustees

who vote for, vote against or who abstain for a particular motion; trustees can request that a detailed note may be made in the minutes.

- Outside of Board meetings it is inappropriate for trustees to discuss Trust Business except in dialogue with other trustees. Trustees should take great care when talking about Trust Board business in any other forum including on social media, blogs and other similar platforms.
- Where a Trustee has a disagreement on any matter, it should be raised, in the first instance, informally with the Chair or through the normal procedures at a Board meeting.
- If not resolved, a Trustee may request the matter be taken further by the Chair.
- If a Trustee has concerns relating to the performance of a member of staff, he or she should contact the Chair, who will take up the matter with the CEO.

Trustees should listen to the views of other stakeholders respectfully and not cause offence to others or undermine the standing of their colleagues on the Trust Board. Respect and courtesy underpin the way that trustees work.

APPENDIX F: The Seven Principles of Public Life – the Nolan Principles

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

The Parliamentary Committee on Standards in Public Life, May 1995.

Trustee Declaration on Appointment: Horncastle Education Trust

I confirm that I am willing to act as a Trustee of the Horncastle Education Trust. I further confirm that I am not disqualified from so acting by virtue of the Articles of Association of the Trust, including, but not limited to, the requirement that I am not disqualified from acting as a Charity Trustee by virtue of section 178 of the Charities Act 2011.

Signed: **Date:**.....

Full Name:

Address:

.....

.....

APPENDIX H: RECRUITMENT & TRAINING OF TRUSTEES

It is essential that the Trust Board has a proper mix of skills and experience. The Trustees must therefore be able to identify potential new Trustees in order to plan for succession, which combines continuity of experience and expertise with new ideas.

Prior to appointment, the Trust will satisfy itself that any trustee designate has the skills to fit with the requirements of the Board, is not disqualified from acting as a trustees (as set out in the Articles of Association), that all the relevant checks have been completed including DBS and that the individual fully understands the responsibility is taking on and consents to acts as a trustee.

Each new Trustee will be properly inducted to ensure that they understand the nature and extent of their role and responsibilities.

It is the duty of a new Trustee to ensure that they are familiar with the Objects of the Academy Trust; its history and ethos, the nature and extent of its activities; the content of the Trust's Articles of Association and; the Governance Handbook. The Trust Board will provide each new Trustee with a copy of the:

- Trust's Articles of Association
- Terms of reference
- Governance Handbook
- Information about declaration and conflicts of interests

New Trustees are required to sign the declaration as set out in Appendix E. The Clerk to the Trustees will notify the EFSA within 14 days of the appointment of any new trustee.

Training and Development of Trustees

Trustees need to ensure the Trust Board that they have the skills and experience needed to perform its function effectively; they will be required to complete the annual skills audit and participate in opportunities to develop and enhance their skills. The Trust Board will ensure that trustees are kept up to date with developments in the legal and regulatory framework that academies and Multi-Academy Trusts operate within.

APPENDIX I: RESERVED MATTERS

The Reserved Matters are:

Members

(Subject to such other consents/requirements as might be required by law or the Funding Agreement)

1. to change the name of the Trust
2. to change the Objects (which would require Charity Commission and Secretary of State consent)
3. to change the structure of the Trust Board
4. to amend the Articles of Association
5. to pass a resolution to wind up the Trust
6. to appoint the auditors (save to the extent that the Trustees may make a casual appointment)

Trustees

(Subject to such other consents/requirements as might be required by law or the Funding Agreement)

1. to change the name of the academies
2. to determine the educational character, mission or ethos of the academies
3. to adopt or alter the constitution and terms of reference of any committee of the Trust
4. to terminate a Supplemental Funding Agreement for an academy
5. to establish a trading company
6. to sell, purchase, mortgage or change any land in which the Trust has an interest
7. to approve the annual estimates of income and expenditure (budgets) and major projects
8. to appoint investment advisors
9. to sign off the annual accounts
10. to appoint or dismiss the CEO (Executive Headteacher), the Central Finance Officer (CFO) and the Clerk to the Trust Board.
11. to do any other act which the Funding Agreement expressly reserves to the Trust Board or to another body (including for the avoidance of doubt, terminating the Funding Agreement or any part of it).
12. to do any other act which the Articles expressly reserve to the Trust Board or to another body or do any other act which the Trust Board determine to be a Reserved Matter from time to time.

APPENDIX J: 21 QUESTIONS EVERY MULTI-ACADEMY TRUST BOARD SHOULD ASK ITSELF

Vision, ethos and strategy

1. Does the Trustee Board have a clear vision and strategic priorities for the next three to five years, to which all academies contribute and which is understood by each of its academies?
2. How effectively do these strategic priorities drive the governance structure, activities and agenda setting at all levels of the Trust?
3. What vision does the Trustee Board have for the size of the Trust and how does the strategy ensure that there is the capacity to support any additional academies well?

Governance structures

4. Is the structure of the Trust from its members to academy level governance conducive to effective working, ensuring check and balances but avoiding duplication at different levels, and delivering good two-way communications?
5. How does the Trustee Board ensure that its governance structure is clear, in keeping with its Articles of Association, and that those at regional, cluster and academy level understand their roles and responsibilities compared to those of the Trustee Board?
6. a) Does the Trustee Board have a scheme of delegation, is it published on its website and those of its academies, and does the scheme make clear where the following key governance functions are exercised:
 - Determining each individual academy's vision, ethos and strategic direction?
 - Recruiting each academy's Principal/Head of school?
 - Performance management of each academy's Principal/Head of school?
 - Determination of Human Resources policy and practice?
 - Oversight of each academy's budget?
 - Assessment of the risks for each academy?
- b) Is the principle of earned autonomy applied to individual academies or local clusters and if so, do all involved at all levels of governance within the MAT understand how?

Trustee Board effectiveness and conduct

7. **Right skills:** Has the Trustee Board adopted a robust and transparent process for the recruitment both of trustees and those at local governance level, including role

specifications, skills audits and interview panel to ensure those carrying out governance functions have the full range of experience, qualities and skills necessary to discharge all the Trustee Board's responsibilities?

8. **Clerking:** Does the Trustee Board have a professional clerk providing information and guidance on regulatory practice and procedures, including governance leadership to the committees and any academy level governance?
9. **Chair:** How does the Trustee Board ensure the chair shows strong and effective leadership?
10. **Trustee performance:** Does the chair carry out an annual review of each trustee's contribution to the Board's performance and ensure each trustee is investing in his/her own development?
11. **Succession planning:** Do we engage in good succession planning so that, in normal circumstances, no trustee serves for longer than two terms of office and the chair is replaced at least every six years?
12. **Conflicts of interest & conduct:** How does the Trustee Board ensure conflicts are avoided and that the Nolan principles of public life are adhered to?
13. **Learning from others:** Has the Trustee Board regularly reviewed its structures and practice, making use of other Boards' experiences and periodically seeking external expertise?

Engagement

14. How does the Trustee Board listen to, understand and respond to pupils, parents, staff and local communities across all its academies?
15. What benefit do the academies within the Trust draw from collaboration with other schools and other sectors, including employers, locally and nationally; and how is the Trust involved in contributing to improving leadership and schools beyond its own academies?

Effective accountability of the executive leadership

16. How well does the Trustee Board understand its academies' performance data, and how do Trustees know that pupils in all their academies are making the best progress they can?
17. What mechanisms does the Trustee Board use to ensure there is a strong and effective executive leadership structure and personnel in place across the Trust with the right skills, clear line-management and reporting mechanisms?

18. How does the Trustee Board ensure senior leaders within academies are challenged to improve the education of pupils, and what intervention would be used if improvement is not progressing according to plan at an academy?
19. How does the Trustee Board ensure that the Trust's financial capability and management systems are robust to ensure compliance with the Academies Financial Handbook, best value for money and deliver the long-term strategy?
20. Do the compliance systems give assurance to the Trustee Board that the Trust is meeting its statutory and legal responsibilities?

Impact on outcomes for pupils

21. How much have the academies improved over the last three years, and what has the Trustee Board's contribution been to this?