



GOVERNANCE POLICY AND SCHEME OF DELEGATION

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1. Introduction, Purpose & Scope

1.0 INTRODUCTION

- 1.01 The Pontefract Academies Trust (“The Trust”) is committed to developing and shaping its governance arrangements so that the wealth of skills and experience that this brings is used to best effect in achieving the Trust vision of aspirational and continuously improving outcomes for learners through structured collaborative working, effective professional development and operational excellence.
- 1.02 The relationship between the Trust Board, School Governance Committees, the executive team, and school leaders is one of partners sharing a common goal, drawing on each other’s strengths in order to overcome any barriers to improvement and respond robustly to challenge.

1.1 PURPOSE

- 1.1.1 The purpose of the Trust Governance Policy and Scheme of Delegation is to:
- a) recognise the importance of developing relationships with common purpose in processes and structures;
 - b) to reflect best practice in the sector and continually assess and evaluate the effectiveness of our governance;
 - c) to establish a clear and consistent understanding of accountabilities and responsibilities throughout the Trust;
 - d) ensure compliance with Company Law, Charity Law, Education Law and the funding agreement with the Department for Education (key aspects reflected in the Education Funding Agency (EFA) Academy Financial Handbook).
- 1.1.2 Effective governance in the Trust is supported by the following framework:
- a) Trust Members
 - b) Trust Board
 - c) Trust Committees
 - d) The Executive Team – the chief executive officer (CEO & Accounting Officer), director of finance business and operations (DoFBO & CFO) and other central trust leaders.
 - e) School Governance Committees
 - f) School Leaders – executive headteachers, headteachers, and heads of school

That Trustees/School Governors will receive accurate, timely and clear information circulated in advance of the meetings to allow sufficient reading time. This will enable Trustees/School Governors to make decisions based on evidence, and properly discharge their duty to promote the success of the Trust/school.

That Trustees/School Governors will ensure that information circulated in advance of meetings is read and understood, with any questions of clarity raised (wherever possible) in advance of meetings. This will allow meetings to remain strategically focussed.

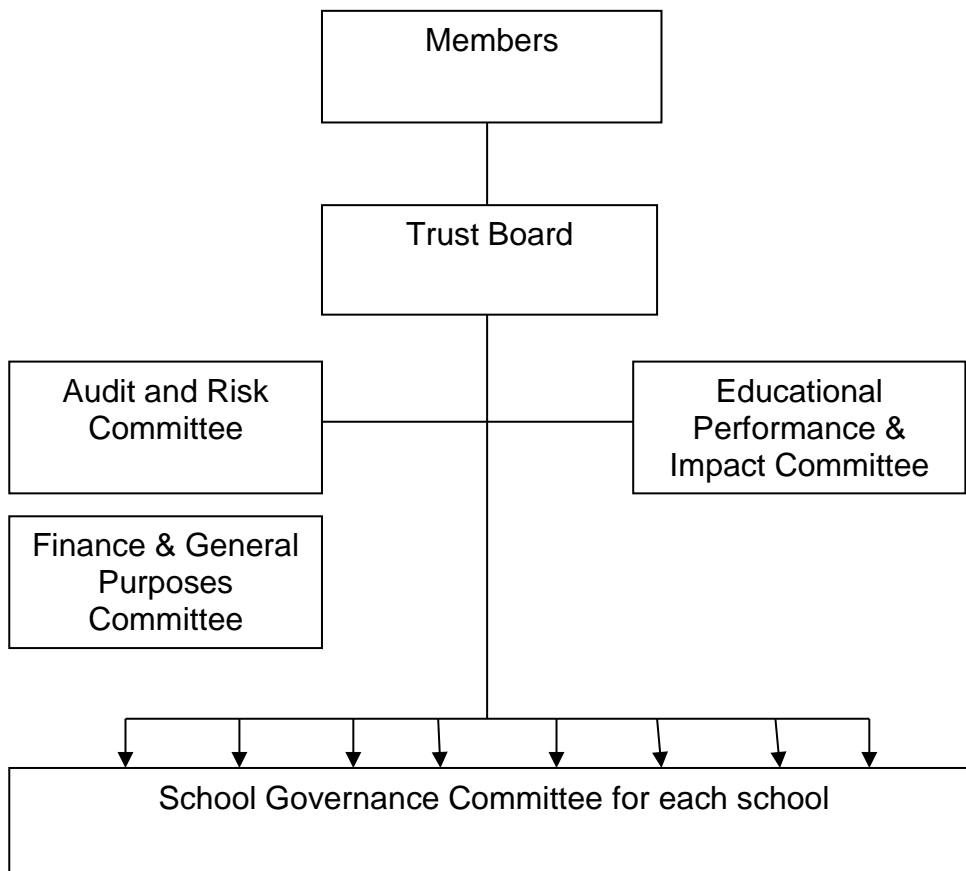
- 1.1.3 The relationship between the Trust Board and School Governance Committees will be based on the principles of:
- a) No duplication of governance
 - b) Governance as close as possible to the point of impact of decision making
 - c) Where governance concerns arise interventions are implemented

1. Introduction, Purpose & Scope

1.2 SCOPE

- 1.2.1 This Trust Board is accountable in law for all decisions about its schools. This does not mean the Trust Board is required to make all the decisions itself. Some decisions can be, and are delegated, including to School Governance Committees, delegated officers, and other Trust Board established committees.
- 1.2.2 The Trust Board is accountable for the performance of the Trust, including the performance of the schools within the Trust. The Trust Board delegates responsibility for managing the performance of the Trust including the performance of the schools within the Trust to the CEO who is also designated as the Accounting Officer with personal responsibilities to Parliament.
- 1.2.3 Some of the responsibilities for governance of individual schools are delegated to the relevant School Governance Committee to scrutinise and challenge the school's education and financial performance and report as required back to the Trust Board.
- 1.2.4 The executive team and school leaders have a commitment to work together for the benefit of the Trust's learners in the community.

1.3 Overview of Governance Structure



2. Overview: Composition of Governance Elements

2.0 Trust Members

The Members are best viewed as guardians of the Trust and the Trust's Articles of Association. The Articles of Association define the Trust's charitable objects and describe how members are recruited and replaced, and how many of the Trustees the Members can appoint to the Trust Board.

The Members appoint the Trustees to ensure that the Trust's charitable object is carried out and so must remove Trustees if they fail to fulfil this responsibility.

While Members are permitted to be appointed as Trustees, in order to retain a degree of separation of the powers between the Members and the Trust Board, and in line with DfE expectations, not all Members will be Trustees.

The Trust will ordinarily have five Members in accordance with guidelines set out in the Education Funding Agency (EFA) publication – Academies Financial Handbook. The minimum number of Members at any time in accordance with the Articles of Association is three:

- Ulric Murray
- Jeff Allinson
- John Gough
- Robert Foreman

2.1 Trust Board

The Trustees are the charity trustees (within the terms of section 177(1) of the Charities Act 2011) and as Company Directors (within the terms of the Companies Act 2006). They must be registered with Companies House and are collectively known as the Trust Board. The Trustees are required to have systems in place through which they can assure themselves that the Trust is:

- acting in accordance with the objects of the Articles of Association.
- carrying out activities in support of the vision and values of the Trust and in compliance with all relevant legislation and the responsibilities conferred through the funding agreement with the Secretary of State.
- holding the executive to account for the educational performance of the schools and their pupils and the performance management of staff.
- agreeing, overseeing, and monitoring the financial plans and performance of the Trust and make sure that funds are spent for intended purposes and spending represents value for money.

The Trust Board has the right to review and adapt its governance structure at any time which includes increasing or removing delegation.

The Trust Board currently consists of:

- 7 x Trustees appointed by the Members.
 - Julie Craig (CEO & Accounting Officer)
 - Jeff Allinson
 - John Gough

2. Overview: Composition of Governance Elements

- Phil Jones
- David Wilkin
- Martin Brooke
- Andy Clarke

The Members may appoint an additional five trustees if it is determined additional skills and capacity are required. The maximum total number of trustees permitted in the Articles of Association is twelve and the minimum number is three.

2.2 The Role of Committees

The trustees will establish committees either with delegated authority to make decisions or for the purpose of providing advice and support, informing the overall work of the Trust Board. These committees are not legally responsible or accountable for statutory functions – the Trust Board retains overall accountability and responsibility. All committees with the exception of the School Governance Committees will have a majority of Trustees as members in accordance with the Articles.

2.3 Trust Board Committees

Trust Board committees provide the overview and scrutiny of the management of strategic risks. Committees may include individuals who are not Trustees provided that the majority of membership is Trustees:

- **Educational Performance and Impact Committee**
 - To consider policies and procedures to ensure that the Trust maintains clear and accurate information on the educational progress of its learners and the impact of any strategies for improvement.
 - To consider and monitor the Trust's policies and processes for quality assurance of teaching and learning, the curriculum, inclusion and sharing and implementation of good practice across the Trust.
 - To consider strategies to improve the performance and skills of Teachers and other support staff working with learners across the Trust
 - To consider strategies to improve the performance and skills of Trustees and School Governors so that they can carry out their roles effectively
- **Audit and Risk Committee**
 - To ensure that the internal control systems and the arrangements for risk management, control and governance processes of the Pontefract Academies Trust are independently, objectively and actively monitored
 - To reinforce the independence and effectiveness of the internal audit function, providing an independent medium of communication with the Pontefract Academies Trust auditors
- **Finance and General Purposes Committee**
 - To consider policies and procedures to ensure that the Trust maintains proper accounts and related records.
 - To consider and monitor the Trust's financial plans to ensure they

2. Overview: Composition of Governance Elements

- reflect the corporate and strategic plans of the Trust
- To consider policies and procedures to ensure that the Trust manages its employees in a fair and consistent manner and adheres to employment law and practice.

2.4 School Governance Committee (SGCs)

The role of a School Governor within a Multi Academies Trust is an important one. In developing governance arrangements the Trust Board has sought to ensure that the responsibility for supporting and monitoring each school is delegated to those closest to the impact of the decisions.

The School Governors are accountable to the Trust Board (who in turn are accountable to the Department of Education/Education Funding Agency) as well as the communities they serve.

The broad duties of the School Governance Committee are summarised as:

- To contribute to and fulfil the vision and ethos of the Trust in so far as it relates to their school, ensuring that the school achieves the aims and ambitions it has for its learners, having regard in particular to the benefits of being part of a local family of schools which stresses the importance of collaboration and mutual support;
- To implement and review from time to time the strategic plan for the school, focussing on the school's performance and achieving sustained school improvement and having regard to any locally agreed priorities identified by the Trust Board;
- To act as a critical friend to the school's senior leadership team, being ready to challenge and hold senior leaders to account for all aspects of the school's performance; providing support and encouragement for improvement.
- To monitor the management of the finances of the school, assessing the annual budget prepared by the school's executive headteacher/headteacher/head of school and submitting such for approval by the Trust Board in accordance with the Trust budget timetable; ensuring that the school works within its approved budget and that the school implements appropriate risk and financial management policies and procedures identified by the Trust;
- To support the school's executive headteacher/headteacher/head of school in the development and review (from time to time) of an appropriate staffing structure for the school, ensuring there is robust and accountable monitoring of the performance of staff and implementing all policies relating to staff approved by the Trust Board;
- To promote within the Trust and externally the benefits of collaboration with the other schools and to actively seek opportunities to work together with the aims of improving economic efficiencies within the schools or identifying and

2. Overview: Composition of Governance Elements

implementing best practice;

- To develop effective links within the school's community, communicating openly and frequently as appropriate and ensuring that the school meets its responsibilities to the community and services the community's needs in relation to the child protection and education of its pupils; and
- To engage fully and openly with any inspection of the school, whether by the Trust Board (or person acting on behalf of the Trust Board), Ofsted or any other appropriate public body to whom the school is accountable.

The size of the School Governance Committee will be determined by the Trust Board in consultation with the CEO/executive headteacher/headteacher/head of school:

- executive headteacher/headteacher/head of school (ex-officio)
- up to 9 x School Governors appointed by the Trust Board
- 2 x Parent School Governors elected by Parents for appointment by the Trust Board if eligible to serve

Employees employed within a school will not be eligible to be a School Governor in their own school unless they are in a position which is regarded as ex-officio.

The school leadership will invite staff of the school to attend all or part of a School Governance Committee meeting as appropriate to support continued professional development, succession planning, or a particular aspect of work they have undertaken for presentation to the School Governance Committee.

2.5 Eligibility to Serve

In accordance with the Articles of Association

No person shall be qualified to be a Trustee or a School Governor unless he/she is aged 18 or over at the date of his/her election or appointment. No current learner of any of the Trust schools shall be a Trustee or School Governor within the Trust.

A Trustee or School Governor shall cease to hold office if he/she becomes incapable by reason of illness or injury or managing or administering his/her own affairs.

A Trustee or School Governor shall cease to hold office if he/she is absent without the permission of the Trustees from all their meetings held within a period of six months and the Trustees resolve this his/her office be vacated.

A person shall be disqualified from holding or continuing to hold office as a Trustee or School Governor if:

- He/she has been declared bankrupt and/or his/her estate has been seized from his/her possession for the benefit of his/her creditors and the declaration or seizure has not been discharged, annulled or reduced; or
- He/she is the subject of bankruptcy restrictions order or an interim order.

2. Overview: Composition of Governance Elements

A person shall be disqualified from holding or continuing to hold office as a Trustee or School Governor at any time when he/she is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(20(b) of the Insolvency Act 1986 (failure to pay under county court administration order).

A Trustee or School Governor shall cease to hold office if he/she ceases to be a Trustee or School Governor by virtue of any provision in the Companies Act 2006, is disqualified from acting as a Trustee or School Governor by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).

A person shall be disqualified from holding or continuing to hold office as a Trustee or School Governor if he/she has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he was responsible or to which he was privy, or which he by his conduct contributed to or facilitated.

A person shall be disqualified from holding or continuing to hold office as a Trustee or School Governor where he/she has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 of the Charities Act 2011.

A person shall be disqualified from holding or continuing to hold office as a Trustee or School Governor if he/she has not provided to the **Chair of Trustees (or officer of the Trust acting on behalf of the Chair of Trustees)** a criminal records certificate at an enhanced disclosure level under section 113B of the Police Act 1997. In the event that the certificate discloses any information which would in the opinion of either the Chair of Trustees or the Chief Executive Officer confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.

Where, by virtue of these Articles a person becomes disqualified from holding, or continuing to hold office as a Trustee; and he is, or is proposed to become such a Trustee or School Governor, he shall upon becoming so disqualified give written notice of that fact to the Chair of Trustees.

2.6 Code of Conduct for Trustees and School Governors

The Code of Conduct for Trustees and School Governors sets out the standards of behaviour expected. Trustees and School Governors are required to conduct themselves in a manner which upholds the Nolan Committee seven principles of public life (ie. acting in the public interest through applying principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership) as a minimum.

2.7 Conflicts of Interest

2. Overview: Composition of Governance Elements

In accordance with the Articles of Association (Article 97), any Trustee or School Governor who has or can have any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts or may conflict with his/her duties as a Trustee or School Governor shall disclose that fact to the Trustees as soon as he/she becomes aware of it. A Trustee or School Governor must absent him/herself from any discussions of the Trustees or School Governor in which it is possible that a conflict will arise between his/her duty to act solely in the interests of the Trust/school and any duty or personal interest (including but not limited to any personal financial interest).

The above definition includes where Trustees or School Governors:

- undertake a governance/employee role in any other educational establishment
- have any relative employed or educated within any of the Trust's schools

The above definition extends to employees who, through their contracts of employment and/or schemes of delegation where they may have decision making responsibilities delegated to them.

The Trust Conflicts Policy including Register of Business and Pecuniary Interests for Trustees, School Governors, and Employees must be complied with at all times.

3. Scheme of Delegation Matrix

DESCRIPTION OF ACTIVITY (✓=responsible, <A or A> or <A> = advice and the direction of advice)	MEMBERS	TRUSTEES	SCHOOL GOVERNORS	CEO	(EXEC)HEAD TEACHERS
GOVERNANCE FRAMEWORK					
To review and amend the Articles of Association by special signed written resolution to support stronger governance arrangements. <i>Note: There may be certain circumstances where Charity Commission approval is also required [CC36: Changing your charity's governing documents]</i>	✓	<A		<A	
To change the name of the Trust	✓				
To appoint a Member(s) by special resolution <i>Note: an employee of the Academy Trust cannot be a Member per Article 12A and Academies Financial Handbook.</i>	✓				
To remove a Member by special resolution and with written notice signed by the other Members <i>Note: the number of Members should not be below 5 in accordance with recommendations of Academies Financial Handbook</i>	✓				
To call an Annual General Meeting of Members <i>Note: One AGM must be held each Academy Financial Year per article 19.</i>		✓			
To call a General Meeting of Members <i>Note: Usually Trustees call General meetings unless there are not sufficient Trustees and then any Trustee or Member per Article 20.</i>	✓	✓			
To appoint (and re-appoint) by ordinary written resolution up to 12 eligible Trustees (Article 50) for a four year term of office <i>Note: The total number of Trustees including CEO who are employees of the Trust shall not exceed 1/3 of the total number of Trustees.</i>	✓				
To remove one or more Trustees where necessary <i>Note: The number of Trustees shall be not less than three (unless determined by ordinary resolution) in accordance with article 45</i>	✓				
To suspend a Trustee by resolution from all or any meetings of the Trust, or of a committee, for a fixed period up to 6 months <i>Note: reasons must be stated and trustee subject to the resolution given the opportunity to make a statement in response (Article 67A-67E)</i>		✓			
To elect a the Chair of the Trust and a Vice-Chair of the Trust from among their number at the beginning of each academic year <i>Note: Employees of the Academy Trust are not eligible per article 82</i>		✓			
To appoint/remove the clerk to the Trustees <i>Note The clerk shall not be a Trustee, the CEO, or a Headteacher per article 81</i>		✓			

3. Scheme of Delegation Matrix

DESCRIPTION OF ACTIVITY (✓=responsible, <A or A> or <A> = advice and the direction of advice)	MEMBERS	TRUSTEES	SCHOOL GOVERNORS	CEO	(EXEC)HEAD TEACHERS
To appoint/establish committees of the Trust– the constitution, membership and proceedings (ie terms of reference) all determined by the Trustees and reviewed annually. <i>Note in accordance with article 100 and 101</i>		✓			
To make all necessary arrangements for, and determine all other matters relating to an election of Parent School Governor prior appointment as a Parent School Governor to ensure a minimum of two parents on each School Governance Committee. <i>Note in accordance with articles 53-56</i>		✓			
To appoint and remove School Governance Committee Chairs <i>Note in accordance with article 100 and 101</i>		✓	<A	<A	
To appoint/remove the clerk to the Trust Board, any established Committees of the Trust including School Governance Committees <i>Note in accordance with article 81</i>		✓		<A	
To identify and review on an annual basis the skills and experience required (skills audit) for the Trust Board and address gaps through recruitment/training <i>Note per Academies Financial Handbook paragraphs 1.5.14 and 1.5.15</i>		✓			
To identify and review on an annual basis the skills and experience required (skills audit) for each established committee of the Trust and address gaps through recruitment/training <i>Note per Academies Financial Handbook paragraphs 1.5.14 and 1.5.15</i>		✓	<A	<A	<A
To publish the Trust’s governance arrangements in the governance statement in the Annual Report and Financial Statements and on its website <i>Note per Academies Financial Handbook paragraphs 1.5.15</i>		✓			
To agree and publish (on its website) a Scheme of Delegation for governance functions setting out what the Trust Board has delegated to Committees of the Trust and the CEO, school leaders <i>Note per Academies Financial Handbook paragraphs 1.5.15</i>		✓			
To self-review the Trust Board and any established committee (excluding School Governance Committee) performance on an annual basis detailing each individual appointment date/resignation date, number of meetings attended out of possible number of meetings,		✓			

3. Scheme of Delegation Matrix

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<i>Note in accordance with EFA Accounts Direction requirements</i>					
To self-review School Governance Committee performance on an annual basis detailing each individual appointment date/resignation date, number of meetings attended out of possible number of meetings <i>Note in accordance with EFA Accounts Direction requirements</i>			✓		
To undertake a 360 degree review of the performance of the Chair of the Trust Board or Chair of any established Committee of the Trust (excluding School Governance Committee) on an annual basis.		✓			
To undertake a 360 degree review of the performance of the Chair of the School Governance Committee performance on an annual basis.			✓		
To succession plan		✓	✓	<A	<A
To agree a work plan for the Trust Board and each committee of the Trust		✓	<A	<A	<A
REPORTING FRAMEWORK					
Ensure Trust and Committees of the Trust (including School Governance Committees) details are up to date and on Trust Website: <ul style="list-style-type: none"> - For each individual that has served over the past 12 months <ul style="list-style-type: none"> ▪ Appointment date ▪ Resignation date ▪ Number of meetings attended out of a possible number of meetings which could have been attended ▪ Business interests (in accordance with Conflicts & Register of Business Interests Policy) 		✓		<A	
Ensure that Trustee appointments and resignations are notified to the EFA and Companies House within 14 days.		✓	<A		
Ensure that an Annual Return is completed and submitted to Companies House by 14 March of each year		✓	<A		
Ensure School Governance Committee details are up to date and on the school website			✓		<A

3. Scheme of Delegation Matrix

DESCRIPTION OF ACTIVITY (✓=responsible, <A or A> or <A> = advice and the direction of advice)	MEMBERS	TRUSTEES	SCHOOL GOVERNORS	CEO	(EXEC)HEAD TEACHERS
<ul style="list-style-type: none"> ▪ School Representative Category (ie Parent, ex-officio) ▪ Appointment date ▪ Resignation date ▪ Number of meetings attended out of a possible number of meetings which could have been attended ▪ Business interests (in accordance with Conflicts Policy & Register of Business Interests Procedures) 					
Annual Report and Financial Statements presented to Members and published on Trust website, submitted to the EFA and Companies House in accordance with the latest EFA published Academies Financial Handbook and Accounts Direction.		✓		<A	
Annual Report on the work of a Trust established committee submit to the Trust for inclusion in the published Annual Report and Financial Statements		✓		<A	
Annual Report on the work of the School Governance Committee submit to the Trust and publish on the school website in format prescribed by the Trust Board			✓		<A
Report the Annual Budgets of the Trust (Budget Return) to the Education Funding Agency in pre-determined format and date		✓		<A	
Ensure information is published in relation to the current curriculum provision at each School. Such information shall include details relating to: content, approach, GCSE options, names of any phonics or reading schemes in operation for key stage 1 and how parents (including prospective parents) and commissioners can obtain further information in relation to the curriculum at each school. <i>In accordance with the Master Funding Agreement clause 23</i>		✓		<A	
Report the Annual Accounts of the Trust (Annual Accounts Return) to the Education Funding Agency in pre-determined format and date		✓		<A	

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DESCRIPTION OF ACTIVITY (✓=responsible, <A or A> or <A> = advice and the direction of advice)	MEMBERS	TRUSTEES	SCHOOL GOVERNORS	CEO	(EXEC)HEAD TEACHERS
STRATEGIC FRAMEWORK					
Trust Business Plan setting out the vision and strategy of the Trust and its future plans (incorporating the Vision, Strategy, Key Performance Indicators, Strategic Plans & Risks)		✓	<A	<A	<A
School Business Plan setting out the individual schools vision, strategy and future plans within the context of the Trust Business Plan (incorporating Vision, Strategy, Key Performance indicators, school plans and risks)			✓	<A>	<A
Agree the duration of the school day and the term dates for each school <i>In accordance with the Master Funding Agreement clause 34C</i>		✓		<A	
Agree and publish Core Offer for central trust spending and top slice from school budgets		✓		<A	
Agree each school budget following recommendation from the School Governance Committee		✓	<A		<A
Agree HR Strategic and Policy Framework (facilitating formal consultation with employees and unions where appropriate)		✓		<A	
Agree H&SW Policy and Procedure Framework (facilitating formal consultation with employees and unions where appropriate)		✓		<A	
Agree School level H&SW Policy and Procedure within the Trust framework			✓		<A
Agree Finance Policy and Procedure Framework to support compliance with the Academies Financial Handbook and Academies Accounts Direction		✓		<A	
Agree Risk Management Policy and Procedure Framework to support compliance with the Academies Financial Handbook and Academies Accounts Direction		✓		<A	
Agree Freedom of Information and Data Protection Policy and Procedure framework to support openness and transparency, and compliance with legislation		✓		<A	
Agree Whistleblowing, Anti-Fraud Bribery and Corruption, Complaints Procedures		✓		<A	

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Agree Admissions Policy		✓		<A	
Agree Trust Safeguarding and Child Protection Policy which sets out the responsibilities of the Trust and it's schools		✓		<A	
Agree school level policies and procedures within the Trust policy framework			✓		<A
APPOINTMENTS/DISMISSALS AND DESIGNATIONS					
Appoint / Dismiss the Chief Executive Officer (CEO) and person designated as the Chief Finance Officer (currently the director of finance business and operations)		✓			
Designate in writing the employee with the responsibility of Accounting Officer for the Trust (usually the CEO)		✓			
Appoint/Dismiss the executive headteacher/headteacher/head of school		✓	<A	<A	<A
Appoint (within approved structure)/dismiss school staff (not including executive headteacher/headteacher/head of schools)					✓
Agree changes to the staffing structure of each school				✓	<A
Appoint (within approved structure)/dismiss central Trust employees				✓	
Appoint appropriate person(s) to provide competent health and safety advise to the Trust and its schools.		✓		<A	
Agree changes to the staffing structure of the Trust		✓		<A	
Ensure that there is a qualified teacher designated as special educational needs co-ordinator (SENCO) for the school <i>A newly appointed SENCO must be a qualified teacher and, where they have not previously been the SENCO at any other relevant school for a total period of more than 12 months, they must achieve a National Award in Special Educational Needs Co-ordination within three years of appointment</i>					✓
Ensure that there are senior leadership teachers in each school designated as designated safeguarding leads <i>This should be explicit in their job description. They should undergo updated child protection training every two years. The executive headteacher/headteacher/head of school and all staff</i>				✓	

3. Scheme of Delegation Matrix

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<i>should undergo child protection training which is updated at least annually in line with advice from the LSCB. A designated staff member must be available at all times in the school</i>					
Ensure that there is a qualified teacher designated for Looked After Children <i>In accordance with the Master Funding Agreement clause 18A is to comply with the duty to designate a teacher for children looked after and which will include the teaching and learning programme for children who are looked after by an LA and are registered pupils at the school.</i>				✓	
Designate in writing the responsibility the employee with the responsibility of Chief Finance Officer for the Trust (currently the director of finance business and operations)		✓		✓	
PERFORMANCE MONITORING AND HOLDING TO ACCOUNT					
Establish Performance Management Panel for the appraisal review of the Chief Executive Officer, Chief Finance Officer, and Executive Headteacher(s) on an annual basis and appoint independent advisor to support as appropriate. The Trust Appraisal Policy to be followed at all times.		✓			
Undertake Performance Management of the headteacher/head of school and appoint independent advisor to support as appropriate. The Trust Appraisal Policy to be followed at all times.			A>	✓	A<
Undertake Performance Management of other central Trust employees. The Trust Appraisal Policy to be followed at all times.				✓	
Undertake Performance Management of School employees. The Trust Appraisal Policy to be followed at all times.					✓
ENSURING FINANCIAL PROBITY					
To consider the outcomes from performance management objectives prior to determining the pay award for the Chief Executive Officer, Chief Finance Officer, Executive Headteacher on an annual basis. The Trust Pay Policy to be followed at all times.		✓			
To consider the outcomes from performance management objectives prior to determining the pay progression for each headteacher, and head of school on an annual basis. The Trust Pay Policies to be followed at all times.		✓	<A	<A	<A

3. Scheme of Delegation Matrix

DESCRIPTION OF ACTIVITY (✓=responsible, <A or A> or <A> = advice and the direction of advice)	MEMBERS	TRUSTEES	SCHOOL GOVERNORS	CEO	(EXEC)HEAD TEACHERS
To establish a pay committee to agree and recommend to the School Governance Committee for approval pay progression of school based employees on an annual basis. The Trust Pay Policies to be followed at all times			✓		<A
To appoint an external auditor, receiving and responding to reports made by him/her		✓		<A	
To ratify the (re-)appointment of the external auditor at each AGM when the Annual Report and Financial Statements are laid before Members.	✓	<A			
To remove auditors before the expiry of their term of office, in exceptional circumstances <i>In accordance with the Accounts Direction – must be a majority vote of members who must provide reasons for their decision to the Trust Board. The Trust Board must notify the EFA immediately including the reason for their removal.</i>	✓				
Notify the EFA of the resignation of auditors, before the expiry of the term of office. <i>In accordance with the Accounts Direction – the Trust Board must copy to the EFA a statement of explanation from the auditors.</i>		✓			
To make arrangements for other independent review of controls and risks as appropriate and ensure identified in a letter of engagement		✓		<A	
To agree and annually review a Scheme of Financial Delegation (published as Financial Regulations and Scheme of Financial Delegation).		✓		<A	
Develop and agree trust wide procurement strategies and efficiency savings		✓		<A	

4. Policy Framework

TRUST BOARD

Category	Policy Title	Review Period
Gov	Governance Policy and Scheme of Delegation	Annual
Gov	Trust Business Plan	Annual
Gov	Member Induction Procedure	Biennial
Gov	Trustee Induction Procedure	Biennial
Gov	Audit and Risk Committee Induction Procedure	Biennial
Gov	Finance and General Purposes Committee Induction Procedure	Biennial
Gov	School Governor Induction Procedure	Biennial
Gov	Trustee and School Governor Visits	Annual
Gov	Media Management Procedures	Annual
Gov	Communications Protocol	Biennial
EP&I	Admissions Policy	Biennial
EP&I	Attendance Strategy (including model school policy)	Annual
EP&I	Safeguarding and Child Protection Policy	Annual
EP&I	Curriculum Framework	Biennial
EP&I	Positive Behaviour for learning	Biennial
EP&I/F&GP	HR Strategy	Annual
A&R/F&GP	Financial Regulations and Scheme of Financial Delegation	Annual
A&R	Accounting Policies	Annual
A&R	Conflicts Policy including Register of Business Interests for Trustees, School Governors, and Employees	Triennial
A&R	Gifts and Hospitality Policy	Triennial
A&R	Complaints Procedures	Biennial
A&R	Donations Policy	Triennial
A&R	Anti-Fraud Bribery and Corruption Policy	Triennial
A&R	Whistleblowing Policy	Triennial
A&R	Freedom of Information Policy	Triennial
A&R	Data Protection Policy	Triennial
A&R	Publication Scheme	Triennial
A&R	Record Retention Policy	Triennial
A&R/EP&I	Business Continuity Planning Framework	Annual
A&R	Risk Management Policy	Annual
A&R	Trust Health & Safety Policy	Biennial
A&R	Management of Contractors Policy & Procedures	Biennial
F&GP	Trustee and School Governors Expenses Policy	Triennial
F&GP	Charging and Remissions Framework	Biennial
F&GP	Commercial Card Policy	Biennial
F&GP	Investment Policy	Biennial
F&GP	Procurement Strategy	Biennial
F&GP	Learning Outside the Classroom Offsite Visits Policy and Guidelines	Biennial
F&GP	Lettings Framework	Biennial
F&GP	HR Strategy	
F&GP	Appraisal Policy & Procedure	Annual
F&GP	Teachers Pay Policy	Annual
F&GP	Bullying and Harassment	Biennial
F&GP	Code of Conduct for Employees	Biennial
F&GP	Capability Procedure	Biennial
F&GP	Disciplinary Procedure	Biennial

3. Scheme of Delegation Matrix

Category	Policy Title	Review Period
F&GP	Equal Opportunities Policy	
F&GP	Equality & Diversity Policy	Biennial
F&GP	Employer Discretion Policy	Biennial
F&GP	Overtime and Additional Hours	Biennial
F&GP	Travel and Subsistence	Biennial
F&GP	Work Life Balance Policy	Biennial
F&GP	Grievance Procedure	Biennial
F&GP	Joint Trade Unions Recognition Agreement	
F&GP	Managing Change Policy and Procedures	Biennial
F&GP	Maternity Adoption Paternity and Shared Parental Leave Policy	Biennial
F&GP	Probationary Period – all staff excluding NQTs	Biennial
F&GP	Procedure for Dealing with allegations against staff Policy Statement	Biennial
F&GP	Recruitment and Selection, Induction and Exit Policy	Biennial
F&GP	Sickness Absence Management Policy and Procedures	Biennial

SCHOOL GOVERNANCE COMMITTEE

Category	Policy Title	Review Period
EP&I	Safeguarding and Child Protection Policy (within overarching Trust Policy)	Annual
EP&I	Attendance Policy	Annual
EP&I	Behaviour Policy (including anti-bullying Policy)	Annual
EP&I	SEND Policy	Annual
EP&I	SEND Information Report (in accordance with S69 of the Children & Families Act 2014)	Annual
EP&I	Assessment Policy	Annual
EP&I	Accessibility Policy and Plan	Annual
EP&I	Curriculum Policy	Annual
EP&I	Early Years Foundation Stage Policies [primary only]	Annual
EP&I	Careers Education & Guidance [secondary only]	Annual
EP&I	PSHE (including SMSC) Policy	Annual
EP&I	Sex and Relationship Education Policy	Annual
EP&I	Collective Worship	Annual
EP&I	Teaching & Learning Policy	Annual
EP&I	Marking & Feedback Policy	Annual
EP&I	Home/School Agreement	Annual
EP&I	Public Sector Information and Objectives Statement	Annual
A&R	School Health & Safety Policy & Procedures (within overarching Trust Policy)	Annual
A&R	School Business Continuity Plan and Emergency Procedures (within overarching Trust Framework)	Annual
F&GP	School Charging & Remissions Policy (within overarching Trust Policy)	Annual
F&GP	School Lettings Policy (within overarching Trust Framework)	Annual

Appendix A: Members

1 Objectives

- 1.1 To be a guardian of the Trust, safeguarding and promoting the values of the Trust and its vision. Supporting the Trust and being an advocate for it. Responsible for changing the Articles of Association if necessary and ensuring that the Trust's charitable object is fulfilled.
- 1.2 To have an overview of the governance arrangements of the Trust and amend the articles where necessary to support stronger governance arrangements (subject to any restrictions in the articles or in the Trust's funding agreement or charity law).
- 1.3 To appoint the Trustees and exercise reserve powers to appoint and remove Trustees where appropriate and will restrict appointments of employees as Trustees to that of the Chief Executive Officer.
- 1.4 To appoint the Trust's financial statements and regularity auditors and receive the Trust's Audited Annual Report and Financial Statements (subject to the Companies Act).

2 Membership

- 2.1 The Trust will ordinarily have five Members, and will not at any time have less than three.
- 2.2 Members must not be employees of the Trust.
- 2.3 While members can be trustees, retaining some distinction between the two layers ensures that members, independent of the trustees, provide oversight and challenge
- 2.4 The appointment of any new Member must be notified to the EFA (via the information exchange) within 14 days of the appointment.
- 2.5 The appointment and resignation/removal of Members does not need notification to Companies House.
- 2.6 The Trust's statutory book /registers will include a register of Members, which should be kept up to date particularly on appointment and removal/resignation
- 2.7 A Member may attend or send a nominee to attend any Member's meeting of the Trust. A nominee will be entitled to exercise the same powers of the member which they represent.

3 New Members

- 3.1 New Members will be inducted and required to undertake a commitment to the continued professional development of Members along with existing Members.

4 General Meetings

Appendix A: Members

- 4.1 Meetings of Members of the Trust are called 'General Meetings' and the decisions Members make at their meetings are called 'resolutions'.
- 4.2 The external auditor shall be given notice of all 'General Meetings' and has the right to speak at any meeting.

5 Annual General Meetings

- 5.1 The Members of the Trust will meet at least once a year at the Annual General Meeting (AGM). Technically, it is the Trustees that call the AGM and the Trustees can attend and speak at AGMs, although they cannot vote on resolutions.
- 5.2 The information made available to Members during the year and/or at the AGM includes:
- The minutes of Board of Trustee meetings if requested;
 - The Trustee Report and Financial Statements including recommendations on the appointment/re-appointment of the External Auditors

It would be expected that Members would have the opportunity to discuss any matters contained in the information and ask questions.

The external auditor shall be given notice of all 'General Meetings' and has the right to speak at the meeting

6 Other Information

- 6.1 During the course of the year, it would also be appropriate for the Trustees to keep the Members up-dated on fundamental issues relating to the running of the Trust.

In general, when serious issues arise for which the Members need to be informed or take action then it is the responsibility of the Chair of the Trust Board to alert them and/or to convene a meeting if appropriate.

Appendix B: Trust Board

1 Objectives

- 1.1 To define and promote the vision and values of the Trust in accordance with the objects of the Articles of Association.
- 1.2 To ensure the vision and values of the Trust are carried out in compliance with all relevant legislation and the responsibilities conferred through the funding agreement with the Secretary of State.
- 1.3 To hold executive leaders to account for the educational performance of the organisation and its pupils/students, and the performance management of employees
- 1.4 To oversee the financial performance of the organisation and making sure its money is well spent

2 Membership

- 2.1 Trustees of not less than 3 and up to a maximum of 12 in number shall be appointed to the Trust Board by the Members of Pontefract Academies Trust.
- 2.2 The Chief Executive Officer shall be the only employee to also serve as a trustee.
- 2.3 The term of office for any Trustee shall be **four years**.
- 2.4 Quorum shall be any three Trustee, or, where greater any one third of the total number of Trustees holding office.
- 2.5 The Trust's statutory book /registers will include a register of Trustees, which will be kept up to date particularly on appointment and removal/resignation. The Education Funding Agency (EFA) and Companies House will be notified (via Edubase) of any changes to the Trustees within 14 days.

3 Appointment of Chair and Vice Chair

- 3.1 At the first meeting of the Trust each academic year, the Trustees shall appoint a Chair and Vice Chair from among their number. The EFA will be notified within 14 days (via Edubase) where there is a change to the person holding position of the Chair.
- 3.2 The Chair and Vice Chair shall hold office for one year
- 3.3 At the end of the term of office the Chair and Vice Chair shall be eligible for re-appointment.
- 3.4 If the Chair and Vice Chair are absent from any meeting of the Trust Board, the Trustees shall choose one of their number to act as Chair for that meeting.

4 Meetings

- 4.1 Attendance

Appendix B: Trust Board

- The Trust Board has the authority to invite such persons to attend meetings as may be desirable and necessary.
- The Company Secretary shall be the Clerk to the Trust Board pending any appointment of separate clerk who is not a Trustee, CEO, Executive Headteacher or Head of School.

4.2 Frequency of Meetings

- Meetings shall be held not less than three times per year.

5 Authority

5.1 The Trustees have the power to expend the funds of the Trust in such manner as they shall consider most beneficial for the achievement of the Objects and to invest in the name of the Company such part of the funds as they may see fit and to direct the sale or transposition of any such investments and to expend the proceeds of any such sale in furtherance of the Objects.

5.2 To enter into contracts on behalf of the Trust.

5.3 Any bank account in which any money of the Company is deposited shall be operated by the Trustees in the name of the Trust. All cheques and orders for the payment of money from such an account shall be signed by at least two signatories authorised by the Trustees.

5.3 The Trustees may appoint separate committees to be known as School Governance Committees for each school (and to operate in accordance with the definition of a Local Governing Body defined in the Articles of Association); and may establish any other committee.

6 Duties

6.1 The duties of the Trust Board shall be:

- To act with the 'utmost good faith'
- To promote the success of the Trust
- To exercise independent judgement
- To exercise reasonable care, skill and diligence
- To avoid conflicts of interest
- To declare an interest in any proposed transaction or arrangement
- to review the Trust Board's membership and effectiveness on an annual basis to ensure that it has appropriate skills and relevant experience;
- to ensure that the annual report and accounts of the Trust are prepared in accordance with the relevant Statement of Recommended Practice and parts 15

Appendix B: Trust Board

and 16 of the Companies Act 2006 and shall file these with the EFA by 31 December each year and publish on the Trust website by 31 January each year;

- to ensure the Trustees comply with their obligations under Part 24 of the Charities Act 2006 with regard to the preparation of an annual return to the Register of companies and with the EFA by 31 December each year;
- Appoint the chief executive officer (Accounting Officer) and hold him/her to account for the performance of the Trust.
- Notify the EFA immediately (via Edubase) of any changes to the person holding the position of Accounting Officer.
- Appoint the director of finance, business and operations and designate him/her as the Chief Finance Officer for the Trust in conjunction with the Chief Executive Officer
- Notify the EFA immediately (via Edubase) of any changes to the person holding the position of Chief Finance Officer
- Appoint executive headteachers, school headteachers, heads of school
- Appoint a clerk who is someone other than either a member of the Trust Board, the Chief Executive, Executive Headteacher, Headteacher, or a Head of School
- Develop policy and strategic plans including target setting
- Allocate the Trust's financial, human and other resources
- Ensure compliance with legal requirements
- Ensure sound management of the Trust's finances and resources
- Set the Trust's standards of conduct and values
- Establish and maintain a transparent system of prudent and effective internal controls
- Account to parents/carers and other stakeholders for the performance of the Trust
- Approve arrangements for independent check of internal controls

6.2 The Board shall develop and agree the following policies for the sound management and administration of the Trust:

Policy	Usual Review Period
Governance Policy and Scheme of Delegation	Annual
Trust Business Plan	Annual
Member Induction Procedure	Biennial

Appendix B: Trust Board

Policy	Usual Review Period
Trustee Induction Procedure	Biennial
Audit and Risk Committee Induction Procedure	Biennial
Finance and General Purposes Committee Induction Procedure	Biennial
School Governor Induction Procedure	Biennial
Trustee and School Governor Visits	Annual
Media Management Procedures	Annual
Communications Protocol	Biennial

*usual review period unless changes in legislation, government guidance or other prompts earlier review

The Board shall consider other policies for approval following their recommendation from a committee(s).

6.3 The Board shall review its terms of reference and its compliance with them on an annual basis.

7 Reporting Procedures

The Trust Board will prepare an Annual Report and Financial Statements for publication, submission to the Education Funding Agency and Companies House, and laid before Members at their Annual General Meeting for their information.

The Trust Board will make arrangements to ensure that an Annual Return is made to Companies House by the required date.

Appendix C: Trust Educational Performance and Impact Committee

1 Objectives

- 1.1 The Committee shall:
- Consider policies and procedures to ensure that the Trust maintains clear and accurate information on the educational progress of its learners and the impact of any strategies for improvement.
 - Consider and monitor the Trust's policies and processes for quality assurance of teaching and learning, the curriculum, inclusion and sharing and implementation of good practice across the Trust.
 - Consider strategies to improve the performance and skills of Teachers and support staff working with learners across the Trust
 - Consider strategies to improve the performance and skills of Trustees and School Governors so that they can carry out their roles effectively.

2 Membership

- 2.1 The Committee shall be appointed by the Pontefract Academies Trust Board and shall consist of the CEO, 2 x Executive Headteachers or Headteachers, and 2 x non executive Trustees (3 if the CEO is not also appointed as a Trustee).
- 2.2 A quorum shall be 3 members of which two must be non-executive Trustees.

3 Appointment of Chair and Vice Chair

- 3.1 At the first meeting of the Committee each Trust year, the members shall appoint a Chair and Vice Chair from among their number.
- 3.2 The Chair and Vice Chair shall hold office for one year, and until the first meeting of the Committee of each Trust year.
- 3.3 At the end of the term of office the Chair and Vice Chair shall be eligible for re-appointment.
- 3.4 If the Chair and Vice Chair are absent from any meeting of the Committee, the members shall choose one of their number to act as Chair for that meeting.

4 Meetings

- 4.1 Attendance
- The Committee has the authority to invite such persons to attend meetings as may be desirable and necessary.
 - The Administration Support team shall clerk the Educational Performance and Impact Committee.
- 4.2 Frequency of Meetings
- Meetings shall be held not less than three times per year

Appendix C: Trust Educational Performance and Impact Committee

- In any event, the Committee must consider a minimum number of items of business each year for it to be able to function effectively.

5 Duties

5.1 The duties of the Committee shall be:

- To ensure that the highest possible standards are set and maintained across the Trust;
- To receive and consider a termly report from the school summarising its performance prior to consideration by the Trust Board;
- To advise the Trust Board of targets for learner achievement across the Trust
- To receive termly reports from the Trust appointed person for Monitoring, Review and Evaluation to identify any areas of concerns, good practice, or trends across the Trust;
- To identify any areas of concern in respect of standards and performance which require Executive action and agree, implement, and monitor an action plan
- To ensure that that each school's curriculum offer is appropriate, balanced, and broadly based within the Trust overarching policy;
- To ensure that effective arrangements are in place across the Trust for pupil support and representation, for monitoring and improving learner attendance and for pupil behaviour and discipline;
- To ensure that effective arrangements are in place across the Trust for safeguarding and child protection;
- To ensure that effective strategies are in place for improving the outcomes for disadvantaged/vulnerable learners and that clear arrangements are in place to identify and report on the impact of those strategies.

5.2 The Committee shall consider or review the following Trust policies, prior to recommending them for approval by the Trust Board:

Policy	Usual Review Period*
Admissions Policy	Biennial
Attendance Strategy (including model school policy)	Annual
Safeguarding and Child Protection Policy	Annual
Curriculum Framework	Annual
HR Strategy**	Annual
Appraisal Policy and Procedure**	Annual
Teachers Pay Policy**	Annual
Positive Behaviour for learning Framework*	Annual
Procedure for dealing with allegations against staff policy statement **	Annual
Code of Conduct for employees**	Annual
Business Continuity Planning Framework***	Annual

*usual review period unless changes in legislation, government guidance or other prompts earlier review

** review in liaison with the Finance and General Purposes Committee

*** review in liaison with the Audit and Risk Committee

Appendix C: Trust Educational Performance and Impact Committee

- 5.3 The Committee shall review its terms of reference and its compliance with them on an annual basis.

6 Reporting Procedures

- 6.1 The Educational Performance and Impact Committee will report to the Trust Board after each meeting.
- 6.2 The clerk to the committee shall submit the minutes of the meetings of the committee to the Trust Clerk for circulation to the Trust Board with the agenda papers at their next available meeting.
- 6.3 The Committee will prepare an annual report for the Trust Board covering the academic year. This will detail
- any significant events up to the date of preparation of the report and will inform the Trustees Annual Report;
 - provide a summary of the committees work and performance undertaken during an academic year
 - its plan of work for the forthcoming year.

Any opinions within the report will be based on the information presented to the committee.

Appendix D: Trust Audit and Risk Committee

1 Introduction

The Pontefract Academies Trust (the “Trust”) recognises its responsibilities to comply with its Memorandum of Association, Articles of Association and Funding Agreement. The Academies Financial Handbook published by the Education Funding Agency and updated during July of each year, articulates these responsibilities and acts as a compliance manual for the Trust.

The Academies Financial Handbook 2016 in paragraph 2.4.2, 2.4.4, 2.4.5, and 2.4.6 sets out the following:

*“2.4.2 Academy trusts **must** establish a committee, appointed by the board of trustees to provide assurance over the suitability of, and compliance with, its financial systems and operational controls. Taking into account the differing risks and complexity of their operations:*

- *all trusts with an annual income over £50 million **must** have a dedicated audit committee;*
- *all other trusts have flexibility to establish either a dedicated audit committee, or to include the functions of an audit committee within another committee.*

2.4.4 The committee’s work must focus on providing assurances to the board of trustees that all risks are being adequately identified and managed with particular regard to:

- *Reviewing the risks to internal financial control at the trust*
- *Agreeing a programme of work to address, and provide assurances on, those risks*

2.4.5 In multi-academy trusts the audit committee’s oversight must extend to the financial controls and risks at constituent academies

2.4.6 Oversight must ensure that information submitted to DfE and EFA that affects funding, including pupil number returns and funding claims completed by the trust and (in the case of a multi-academy trust) by constituent academies, is accurate and in compliance with funding criteria.”

The Board of Trustees chose to establish a dedicated Audit and risk committee from July 2014, to ensure that detailed challenge and review of risks and controls is undertaken. This document sets out the Terms of Reference for the Trust Audit and Risk Committee which was considered for updates and agreed by the Trust Board at its meeting on 31 August 2016 and will be effective from 1 September 2016.

2 Objectives

2.1 The Committee shall:

- ensure that the internal control systems and the arrangements for risk management, control and governance processes of the Pontefract Academies Trust are independently, objectively and actively monitored
- reinforce the independence and effectiveness of the internal audit function, providing an independent medium of communication with the Pontefract Academies Trust auditors.

Appendix D: Trust Audit and Risk Committee

3 Membership

- 3.1 The Committee shall be appointed by the Pontefract Academies Trust and shall consist of at least three committee members (one of whom maybe an external co-opted committee members).
- 3.2 Membership precludes the Chair of the Pontefract Academies Trust, the Chief Executive Officer or any other member of the management team of the Pontefract Academies Trust.
- 3.3 The Committee membership shall be for a period up to three years, extendable by no more than two additional three year periods (so long as members continue to be independent).
- 3.4 A quorum shall be 2 members.

4 Appointment of Chair and Vice Chair

- 4.1 At the first meeting of the Committee each Trust year, the committee members shall appoint a Chair and Vice Chair from among their number.
- 4.2 The Chair and Vice Chair shall hold office for one year, and until the first meeting of the Committee of each Trust year.
- 4.3 At the end of the term of office the Chair and Vice Chair shall be eligible for re-appointment.
- 4.4 If the Chair and Vice Chair are absent from any meeting of the Committee, the committee members shall choose one of their number to act as Chair for that meeting.

5 Meetings

- 5.1 Attendance
 - The Committee has the authority to invite such persons to attend meetings as may be desirable and necessary, including representatives of the external and internal auditors
 - The Company Secretary shall be the Clerk to the Audit and Risk Committee.
- 5.2 Frequency of Meetings
 - Meetings shall be held not less than three times per year.
 - The regularity or financial statements auditors may request a meeting of the Audit and Risk Committee or with the Chair of the Audit and Risk Committee should they consider that one is necessary. The meetings may be held with or without other participants, as appropriate.
 - In any event, the Committee must consider a minimum number of items of business each year for it to be able to function effectively.

Appendix D: Trust Audit and Risk Committee

6 Authority

- 6.1 The Committee has authority to obtain external legal or other independent professional advice and to secure the attendance of outsiders with the relevant experience and expertise if it considers this necessary.
- 6.2 The Committee may consider and, if appropriate, investigate, or commission investigations into any activity within its terms of reference, including, any complaints relating to alleged fraud or other financial irregularity or malpractice at the Trust in accordance with any financial regulations and procedures established by the Trust.
- 6.3 The Committee has the power to seek any information it requires from the internal audit service, the financial statements auditor, governors, committees and Trust employees, plus relevant information from subcontractors and other third parties.

7 Duties

7.1 The duties of the Committee shall be:

- to review the committee's membership and effectiveness on an annual basis to ensure that it has appropriate skills and relevant experience;
- to advise the Trust on the adequacy and effectiveness of the Trust's systems of internal control and its arrangements for risk management, control and governance processes, and securing economy, efficiency and effectiveness (value for money);
- to act as the Risk Committee, identifying and reviewing the key risks to which the Trust is exposed, approving the risk management policy, risk register and action plan against significant risks, and monitoring the action plan against significant risks;
- to advise the Trust on the accuracy of information submitted to DfE and EFA that affects funding, including pupil number returns and funding claims completed by the trust or its schools and the compliance with funding criteria;
- to advise the Trust on the appointment, reappointment, dismissal and remuneration of the financial statements and regularity auditor and the internal audit service;
- to advise the Trust on the scope and objectives of the work of the financial statements and regularity auditor and the internal audit service;
- to prepare the Trustees Report to form part of the Statutory Accounts of the Trust and for filing in accordance with Companies Act requirements ;
- to ensure effective coordination between the internal audit service, and the financial statements and regularity auditor;
- to consider and advise the Trust on the audit needs assessment, strategic and annual internal audit plans for the internal audit service;

Appendix D: Trust Audit and Risk Committee

- to advise the Trust on internal audit assignment reports and annual reports and on control issues included in the financial statements and regularity auditor's management letters, and management's response to these;
- to monitor, within an agreed timescale, the implementation of agreed recommendations relating to internal audit assignment reports, internal audit annual reports and the financial statements auditor's management letter;
- to establish, in conjunction with Trust management, relevant annual performance measures and indicators, and to monitor the effectiveness of the internal audit service and financial statements and regularity auditor through these measures and indicators and decide, based on this review, whether a competition for price and quality of the audit service is appropriate;
- to produce an annual report for the Trust which includes the committee's advice on the effectiveness of the Trust's risk management control and governance processes which incorporates any significant matters arising from the work of the internal audit service and the financial statements and regularity auditor;
- to ensure compliance with the overall financial plan for the Trust, and with the financial regulations of the EFA/DfE, drawing any matters of concern to the attention of the Board;
- to consider and advise the Trust on relevant reports from the National Audit Office, funding bodies and other ad hoc reports, and, where appropriate, management's response to these;
- to ensure that all allegations of fraud and irregularity are properly followed up;
- to be informed of all additional services undertaken by the internal audit service, the financial statements auditors and the regularity auditors;
- to recommend the annual financial statements to the Trust for approval;
- to consider other matters, as determined from time to time by the Trust.
- to ensure that additional services undertaken by the auditors are compatible with the audit independence and objectivity;

7.2 The Committee shall consider or review the following Trust policies, prior to recommending them for approval by the Trust Board:

Policy	Usual Review Period*
Whistleblowing Policy	Triennial
Anti-Fraud Bribery and Corruption Policy	Triennial
Complaints Procedures	Biennial
Conflicts Policy including Register of Business Interests for Trustees, School Governors, and Employees	Triennial
Gifts and Hospitality Policy	Triennial
Donations Policy	Triennial
Freedom of Information Policy	Triennial
Data Protection Policy	Triennial

Appendix D: Trust Audit and Risk Committee

Publication Scheme	Triennial
Record Retention Policy	Triennial
Risk Management Policy	Annual
Business Continuity Planning Framework***	Annual
Health and Safety Policy	Biennial
Management of Contractors Policy and Procedures	Biennial
Financial Regulations and Scheme of Financial Delegation**	Annual
Accounting Policies	Annual

*usual review period unless changes in legislation, government guidance or other prompts earlier review

** review in liaison with the Finance and General Purposes Committee

*** review in liaison with the Educational Performance and Impact Committee

- 7.3 The Committee shall review its terms of reference and its compliance with them on an annual basis.

7 Reporting Procedures

- 7.1 The Audit and Risk committee will report to the Trust Board after each meeting.
- 7.2 The clerk to the committee shall submit the minutes of the meetings of the committee to the Trust Clerk for circulation to the Trust Board with the agenda papers at their next available meeting.
- 7.3 The Committee will prepare an annual report for the Trust Board covering the accounting year. This will detail:
- any significant events up to the date of preparation of the report and include the committee's opinion on the adequacy and effectiveness of the Trust's arrangements for:
 - Risk management control and governance
 - Economy, efficiency and effectiveness
 - a summary of its work undertaken and performance during the academic year
 - its proposed plan of work for the forthcoming year.

Any opinions within the report will be based on the information presented to the committee.

Appendix E: Trust Finance & General Purposes Committee

1 Objectives

- 1.1 The Committee shall:
- Consider policies and procedures to ensure that the Trust maintains proper accounts and related records.
 - Consider and monitor the Trust's financial plans to ensure they reflect the corporate and strategic plans of the Trust.
 - Consider policies and procedures to ensure that the Trust manages its employees in a fair and consistent manner and adheres to employment law and practice.

2 Membership

- 2.1 The Committee shall be appointed by the Pontefract Academies Trust Board and shall consist of at least 3 committee members (one of whom maybe an external co-opted committee member)
- 2.2 A quorum shall be 2 non-executive members.

3 Appointment of Chair and Vice Chair

- 3.1 At the first meeting of the Committee each Trust year, the members shall appoint a Chair and Vice Chair from among their number.
- 3.2 The Chair and Vice Chair shall hold office for one year, and until the first meeting of the Committee of each Trust year.
- 3.3 At the end of the term of office the Chair and Vice Chair shall be eligible for re-appointment.
- 3.4 If the Chair and Vice Chair are absent from any meeting of the Committee, the members shall choose one of their number to act as Chair for that meeting.

4 Meetings

- 4.1 Attendance
- The Committee has the authority to invite such persons to attend meetings as may be desirable and necessary.
 - The Company Secretary shall be the Clerk to the Finance and General Purposes Committee.
- 4.2 Frequency of Meetings
- Meetings shall be held not less than three times per year
 - In any event, the Committee must consider a minimum number of items of business each year for it to be able to function effectively.

Appendix E: Trust Finance & General Purposes Committee

5 Duties

5.1 The duties of the Committee shall be:

- Develop policies and procedures to ensure that the Trust maintains proper accounts and related records
- Ensure systems are in place for all employees and creditors to be paid by their due date and that such systems are effective
- Ensure that all income received is correctly accounted for and that income receivable is collected promptly.
- Receive and comment on the Trust's revenue and capital budgets ensuring that they reflect the Trust's corporate and strategic plans.
- To ensure compliance with the overall financial plan for the Trust, oversee budget monitoring and ensuring corrective action takes place when required.
- Ensure effective integration of budgeting and operational planning
- Ensure that the requirement in the funding agreement for the Trust to remain financially solvent is fulfilled
- Ensure that Value for Money is considered when making decisions
- Overseeing the Trust's cash management policies, banking arrangements, and insurance arrangements
- Develop policies and procedures to ensure that the Trust manages its employees in a fair and consistent manner and adheres to current employment law and practice
- Ensure that risks associated with the Trust's plans have been fully considered
- Any other matters as directed by the Trust Board

5.2 The Committee shall consider or review the following Trust policies, prior to recommending them for approval by the Trust Board:

Policy	Usual Review Period*
Financial Regulations and Scheme of Delegation**	Annual
Trustee and School Governors	Triennial
Charging and Remissions Framework	Biennial
Commercial Card Policy	Biennial
Investment Policy	Biennial
Procurement Strategy	Biennial
Learning Outside the Classroom Offsite Visits Policy and Guidelines	Biennial
Lettings Policy	Biennial
HR Strategy***	Annual
Appraisal Policy and Procedures***	Annual
Teachers Pay Policy	Annual
Bullying and Harassment Policy	Biennial

Appendix E: Trust Finance & General Purposes Committee

Policy	Usual Review Period*
Code of Conduct for Employees***	Biennial
Capability Procedure	Biennial
Disciplinary Procedure	Biennial
Equal Opportunities Policy	Biennial
Equality and Diversity Policy	Biennial
Employer Discretion Policy	Biennial
Overtime and Additional Hours	Biennial
Travel and Subsistence	Biennial
Work Life Balance Policy	Biennial
Grievance Procedure	Biennial
Joint Trade Unions Recognition Agreement	Triennial
Managing Change Policy and Procedures	Biennial
Maternity Adoption Paternity and Shared Parental Leave Policy	Biennial
Probationary Period – all staff excluding NQTs	Biennial
Procedure for dealing with allegations against staff policy statement***	Biennial
Recruitment, Selection, Induction and Exit Policy	Biennial
Sickness Absence Management Policy and Procedures	Biennial
Charging and Remissions Policy Framework	Biennial
Lettings Framework	Biennial

*usual review period unless changes in legislation, government guidance or other prompts earlier review

** review in liaison with the Audit and Risk Committee

*** review in liaison with the Educational Performance and Impact Committee

- 5.3 The Committee shall review its terms of reference and its compliance with them on an annual basis.

6 Reporting Procedures

- 6.1 The Finance and General Purposes Committee will report to the Trust Board after each meeting.
- 6.2 The clerk to the committee shall submit the minutes of the meetings of the committee to the Company Secretary for circulation to the Trust Board with the agenda papers at their next available meeting.
- 6.3 The Committee will prepare an annual report for the Trust Board covering the academic year. This will detail:
- any significant events up to the date of preparation of the report including:
 - variations from approved budgets
 - future financial pressures
 - a summary of its work and performance undertaken during the academic year
 - its proposed plan of work for the forthcoming year

Any opinions within the report will be based on the information presented to the committee.

Appendix F: School Governance Committee

1 Objectives

- 1.1 The role of the School Governance Committee (SGC) is an important one. It is to provide focused support and monitoring to the School at a local level and it is the intention of the Trust Board to ensure that this responsibility is vested in those closest to the impact of decisions.
- 1.2 The SGC is responsible for monitoring the school's key performance indicators and acts as a critical friend to the headteacher and the school's senior leadership team, providing support, challenge, and encouragement where appropriate.
- 1.5 The SGC carries out its functions in relation to its respective school on behalf of the Trust Board and in accordance with policies determined by the Trust Board. The act of delegation from the Trust Board to the SGC is a delegation of powers and duties, and not a shedding of responsibilities.
- 1.6 The SGC shall have the roles set out in this section and any other role that the Trust Board agree shall be carried out by the SGC and that is communicated in writing to the Chair of the SGC

2 Intervention

- 2.1 The SGC will work closely with the Trust executive team and shall promptly implement any advice or recommendations made by the Trust executive team in respect of standards and performance, particularly where areas of weakness have been identified (either internally within the Trust or by Ofsted).
- 2.2 The Trust Board reserves the right to review or remove any power or responsibility conferred on the SGC under this constitution and terms of reference, in particular, in circumstances where serious concerns in the running of the school are identified, including where:
 - there are concerns about financial matters;
 - there is insufficient progress being made against educational targets (including where intervention by the Secretary of State is being considered or carried out);
 - there has been a breakdown in the way the school is managed or governed and in accordance with Trust policies and procedures where applicable; or
 - the safety of pupils or staff is threatened, including a breakdown of discipline.
- 2.3 Where necessary, the Trust Board will put in place for an appropriate period of time an intervention board whose responsibility it will be to address the areas of weakness.

3 Membership

- 3.1 The committee shall be appointed by the Pontefract Academies Trust Board and shall consist of a maximum of ten committee members (which we refer to as School Governors), including:
 - executive headteacher/headteacher/head of school (ex-officio)

Appendix F: School Governance Committee

- up to 9 x School Governors
- 2 x Parent School Governors elected by Parents for appointment by the Trust Board if eligible to serve

The size of the School Governance Committee will be determined by the Trust Board in consultation with the CEO/executive headteacher/headteacher/head of school.

The school leadership will invite staff of the school to attend all or part of a School Governance Committee meeting as appropriate to support continued professional development, succession planning, or a particular aspect of work they have undertaken for presentation to the School Governance Committee.

- 3.2 Each School Governance Committee shall have a Chair and a Vice-Chair. The length of service of all School Governors shall be **four years**. Subject to remaining eligible to be a School Governor, any School Governor may be reappointed or reappointed following re-election at the end of his or her term.
- 3.3 Every person wishing to be considered to be (re)appointed as a School Governor will be required submit this in writing using the letter template (attached as Appendix G) and to sign a declaration of acceptance and of willingness to act as a School Governor, in the form set out in Appendix H and I or as prescribed by the Trust Board from time to time, and shall make disclosures for the purposes of a criminal records check by the Disclosure and Barring Service.

4 Appointment and particular responsibilities of School Governors

- 4.1 At the last meeting of the Committee each academic year, the School Governors shall recommend a Chair and Vice Chair from among their number to the Trust Board for appointment for the next academic year.
- 4.2 The Chair and Vice Chair shall hold office for one year
- 4.3 At the end of the term of office the Chair and Vice Chair shall be eligible for recommendation to be re-appointed by the Trust Board.
- 4.4 If the Chair and Vice Chair are absent from any meeting of the School Governance Committee, the School Governors shall choose one of their number to act as a Chair for that meeting.
- 4.5 The Trust Board are entitled to remove the Chair and/or Vice Chair from office at any time, although this would not necessarily affect the individual's position as a School Governor.
- 4.6 The Chair and Vice-Chair will ordinarily meet with the executive headteacher/headteacher/head of school and the clerk before the start of the academic year to consider the plan of work set out by the Trust Board.

The responsibilities of the Chair (Vice Chair in the Chair's absence) include the following:

- to chair meetings of the School Governance Committee;
- to agree with the executive headteacher/headteacher/head of school and Vice-Chair each School Governance Committee meeting agenda within the Trust Work Plan framework for meetings;

Appendix F: School Governance Committee

- to work with the executive headteacher/headteacher/head of school to ensure that all papers for consideration by the School Governance Committee are circulated at least 5 working days in advance of a meeting being held;
- to ensure that any resignations of School Governors are notified in writing to the Chair of Trustees at the earliest opportunity;
- to ensure that all School Governors complete and sign declarations of Conflicts and Business Interests, and Gifts and Hospitality;
- to ensure that any updates to the declarations of conflicts and business interests are immediately reflected on a new declaration and submitted to the Chair of Trustees at the earliest opportunity;
- to report to the Trust Board in writing following any School Governance Committee meeting, if requested;
- to give an oral summary of the School Governance Committee's deliberations, if requested, at meetings of the Trust Board; and
- to provide a direct link between the School Governance Committee and the Trust Board/Executive Team via the Chairs Forum.

4.7 In the event of a need to make genuinely urgent decisions between meetings on matters falling within the remit of the School Governance Committee, the Chair of the School Governance Committee (or the Vice-Chair of the School Governance Committee in his or her absence) in consultation with the CEO, shall take appropriate action on behalf of the School Governance Committee. The decisions taken and the reasons for urgency shall be explained fully at the next meeting of the Trust Board and of the School Governance Committee.

4.8 Parent School Governors for each School Governance Committee shall be elected in accordance with the process set out below and prior to being appointed by the Trust Board:

- When a vacancy arises, the School Governance Committee will write to all parents and those with parental responsibility, of learners at the school seeking nominees for the vacancy. Nominees will be asked to provide a short statement about why they are interested in being a Parent School Governor and their background and experience that makes them suitable for the role.
- On the deadline for the closure of nominations, the Trust checks eligibility of nominees (including DBS) and correct completion of forms.
- In the event that the number of nominees equals or is less than the number of vacancies on the School Governance Committee, the Trust Board can choose to appoint all (or any) of those nominated.
- If there are more nominees than places available, a ballot must be run. Ballot papers and return envelopes are prepared and sent to all parents and those with parental responsibility.
- Ballot papers are returned and a count carried out. The candidate with the highest number of votes is elected.
- The candidate completes all relevant paperwork for confirmation of appointment.

A Parent School Governor will be a parent or carer of a registered pupil at the relevant school or where this is not reasonably practical, a person who is the parent of a child of compulsory school age. The responsibilities of the Parent School Governor are to represent the interests and opinions of the Parent Body of the School to the School Governance Committee.

Appendix F: School Governance Committee

- 4.10 Each School Governance Committee shall nominate from among its committee individuals with specific responsibilities which shall include as a minimum:
- a School Governor with responsibility for curriculum, progress and attainment;
 - a School Governor with responsibility for special educational needs and inclusion;
 - a School Governor with responsibility for safeguarding and vulnerable learners (including Looked After Children);
 - a School Governor with responsibility for attendance;
 - a School Governor with responsibility for restricted grants/donations (including pupil premium and sports grant);
 - a School Governor with responsibility for health and safety; and
 - a School Governor with responsibility for finance (who should not also be the Chair of the School Governance Committee).

Further detail is attached as Annex 1

The nominated School Governor role should **not** involve the nominated School Governor attending meetings with individual parents or taking part in discussions concerning individual learners.

The School Governance Committee or nominated School Governors should not become involved in the school's day-to-day activities. In practical terms the nominated School Governor should try to:

Set up regular meetings (ie one each half term) with staff who are responsible for their nominated area of focus and visit the school to see at first-hand how provision is organised and delivered;

- Know the Trust's relevant policy, procedure or framework and make sure that the school is operating in accordance with them;
- Where the school is delegated responsibility for a policy make sure that there is an annual review;
- Understand how funding is allocated to schools for the relevant area
- Attend relevant training for School Governors
- Provide a link to the work of the Trustees and the executive team

5 Clerk to the School Governance Committee

- 5.1 The responsibilities/functions of the Clerk to the School Governance Committee are as follows:
- attend meetings of the School Governance Committee and ensure draft minutes are produced within two weeks of the meeting and agreed with the Chair for circulation to the School Governance Committee;
 - ensure that previous minutes are agreed by the Committee at the next meeting and signed by the Chair or Vice Chair of the School Governance Committee to confirm this agreement;
 - perform such other functions as shall be determined by the Trust Board from time to time.

Appendix F: School Governance Committee

6 Ceasing to be a School Governor

- 6.1 A School Governor's term of office will be terminated if:
- any event or circumstance occurs which would disqualify him or her from the office of Trustee under the Articles were he or she to hold such office;
 - he or she has, without the consent of the School Governance Committee, failed to attend School Governance Committee meetings for a continuous period of six months, beginning with the date of the first such meeting he or she failed to attend and the Chair and the Vice Chair agree that the term of office should be terminated;
 - he or she resigns from office by notice to the Trust;
 - he or she is removed from office by the Trust Board.

7 Commitment of School Governors

- 7.1 School Governors are asked to:
- to prepare for and make an active contribution at meetings of the School Governance Committee by reading (and seeking any clarifications required) papers circulated in advance of meetings;
 - to champion the school and the Trust in the local community;
 - to familiarise themselves with the Trust's policies;
 - to make visits the school both during school hours (with prior arrangement with the executive headteacher/headteacher/head of school including intended outcomes from the visit),
 - to attend evening events to get to know the school and to be visible to the school community; and
 - to undertake training as required to support the effectiveness of their role.

8 Stakeholder voices

- 8.1 School Governance Committees are expected to have regard to the voices of their various stakeholders (especially learners, parents and staff) and to put in place arrangements to receive feedback and to respond appropriately. This includes engaging stakeholders through defined governance arrangements (including the two Parent School Representatives on each School Governance Committee).

Accessing and responding to learners collective concerns. Each school has active Pupil/Student Councils and each SGC is expected to give due regard to issues that are raised through the Pupil/Student Council monitoring management actions taken in response to the issues. Parents should be actively encouraged to put their views on Ofsted Parent View.

Opportunities for staff views and satisfaction should be actively sought through school visits, working groups with staff, undertaking staff surveys etc.

9 Meetings and Reporting Procedures

- 9.1 Meetings of the School Governance Committee will be held in each half term. The Chair and the executive headteacher/headteacher/head of school shall ensure that the School Governance Committee is given written notice of each meeting, along with the agenda and any reports or other papers to be considered on the agenda at

Appendix F: School Governance Committee

least five working days in advance of each meeting. However, where the Chair determines there are matters demanding urgent consideration, it shall be sufficient if the written notice of the meeting states that fact and the notice, copy of the agenda and other papers are given within such shorter period as the Chair directs.

- 9.2 The School Governance Committee will prepare an annual report (early in each Autumn term) for the Trust Board covering the previous academic year. This will detail
- any significant events up to the date of preparation of the report;
 - provide a summary of its work undertaken and performance during the previous academic year (including School Governor attendance at meetings, policies reviewed etc);
 - the agreement of the workplan with Trustees for the forthcoming academic year

10 Voting at meetings of the School Governance Committee

- 10.1 The quorum for meetings of the School Governance Committee and for any vote on a matter at such meetings is one half of the total number of School Governors in office at that time (rounded up to the nearest whole number). A meeting shall be terminated if the number of School Governors present ceases to constitute a quorum. Where a meeting is not held or is terminated before all the matters specified as items of business on the agenda for the meeting have been disposed of, a further meeting shall be convened by the Chair as soon as is reasonably practicable, but in any event within seven days of the date on which the meeting was originally to be held or was so terminated.
- 10.2 Any School Governor shall be able to participate in, and be counted as present at for the purposes of the quorum, meetings by telephone or video conference provided that: he has given notice of his intention to do so detailing the telephone number on which he can be reached and/or appropriate details of the video conference suite from which he shall be taking part at the time of the meeting at least 48 hours before the meeting; and the School Governance Committee has access to the appropriate equipment; and provided that, if after all reasonable efforts it does not prove possible for that School Governor to participate by telephone or video conference, the meeting may still proceed with its business provided it is otherwise quorate.
- 10.3 Where matters are not agreed by consensus, every question to be decided upon at a meeting of the School Governance Committees shall be determined by a majority of the votes of School Governors present and voting on the question. Votes tendered by proxy shall not be counted. Where there is an equal division of votes, the Chair has a casting vote.
- 10.4 The School Governors may act notwithstanding any vacancies, but, if the number of School Governors is less than the number fixed as the quorum, the continuing School Governors may act only for the purpose of filling vacancies. A resolution in writing, signed by all School Governors entitled to receive notice of a meeting shall be valid and effective as if it had been passed at a meeting duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more School Governors and may include an electronic communication by or on behalf of the School Governance Committee indicating his or her agreement to the form of resolution providing that the School Governor has previously notified the

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School Governance Committee in writing of the email address or addresses which the School Governor will use.

11 **Business and Conflicts of interests of School Governors**

11.1 School Governors shall complete and sign a declaration of their business interests, which shall be reviewed and signed annually. Any School Governor who has any duty or personal interest that conflicts or may conflict with his or her duties as a School Governor shall:

- disclose that fact to the School Governance Committee as soon as he or she becomes aware of it. A School Governor must absent himself or herself from any discussions of the School Governance Committee in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the school and such duty or personal interest;
- withdraw from any meeting for that item unless expressly invited to remain in order to provide information;
- not be counted in the quorum for that part of any meeting; and
- withdraw during the vote and have no vote on the matter.

12 **Working Groups/Panels of the School Governance Committee**

12.1 The executive headteacher/headteacher or head of school in consultation with the Chair of the School Governance Committee determine that one or more working groups may support the work of the School Governance Committee for a fixed piece of work or on an ongoing basis.

12.2 The School Governance Committee will form panels in accordance with the Trust Pay Policy, Trust Disciplinary Policy, Trust Grievance Policy and Trust Complaints Policy, and exclusion reviews.

13 **Minutes**

13.1 Attendance at each School Governance Committee meeting, issues discussed and recommendations for decisions shall be recorded and the minutes signed by the Chair at the next meeting of the School Governance Committee. The written record (once approved by the Chair of the relevant SC meeting) shall be retained securely in school by the executive headteacher/headteacher/head of school and a scanned copy forwarded to the Trust as directed. The executive headteacher/headteacher/head of school will be responsible for ensuring that all papers and minutes of meetings are held securely for Trustee or DfE/EFA/Ofsted inspection if required.

14 **Duties**

14.1 **General:** The governance of the school is delegated to the School Governance Committee who may exercise the powers of the Trust in so far as they relate to the school, subject to:

- any restrictions in the Companies Act which requires a decision of the Trust Board;
- the Articles of Association;

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- Policies and Procedures set by the Trust Board;
- a specific decision of the Trust Board;
- matters reserved to the Trust Board as set out in the Governance Policy and Scheme of Delegation.

The Trust Board and the School Governance Committee acknowledge that they each play a crucial role in the governance of the school and commit to working together in the best interests of the Trust and the schools. They also acknowledge that the duties and responsibilities in relation to the operation of the Trust sit with the Trust Board and as such the Trust Board is entitled:

- to overrule a decision of the School Governance Committee; and/or
- to remove delegated powers from an School Governance Committee

if (in their reasonable opinion) they consider it to be in the best interests of the school or the wider Trust.

14.2 Decision Making: The Trust Governance Policy and Scheme of Delegation provides clarity as to who the decision makers are for different levels of decisions and should be read alongside this constitution and terms of delegation.

14.3 Financial matters: The School Governance Committee shall assess the annual budget for the subsequent financial year prepared by the school's executive headteacher/headteacher/head of school and senior leadership team and recommend the budget to the Trust Board for approval in accordance with the timeline specified by the Trust Board.

Subject to the paragraph below, the School Governance Committee shall have the power to expend funds of the Trust Board which relate to the school as it considers in the best interests of the school and in accordance with the Finance Regulations and Scheme of Financial Delegation. The School Governance Committee shall have regard to:

- the Objects of the Trust and the restrictions attached to any grant funding;
- the school's improvement priorities as set out in the School improvement Plan; and
- the school's financial sustainability and Trust Reserves Policy.

In line with their duties and responsibilities as trustees and directors, the trustees shall be entitled to determine that a proportion of the budget in respect of the school be held centrally for the following reasons:

- to be allocated to the provision of central services received by the school;
- in pursuance of the Trust's reserves policy; and/or
- as otherwise may be determined by the Trustees acting reasonably and in the best interests of the Trust.

14.4 Contractual authority The School Governance Committee is authorised to enter into a contract on behalf of the Trust in so far as it relates to the school provided that:

- the contract does not exceed the value specified in the Finance Regulations and Scheme of Financial Delegation;
- the contract has been procured in compliance with the Trust's Financial Regulations and Scheme of Financial Delegation and in accordance with the EFA Academies Financial Handbook;

Appendix F: School Governance Committee

- consideration is given as to whether the contract constitutes a 'related party transaction'; and
- the contract does not relate to the following services or any other Trust wide contract:
 - HR;
 - payroll;
 - accountancy;
 - audit;
 - education inspection;
 - energy supplier and energy management;
 - financial management systems;
 - management information systems;
 - ICT systems and ICT hardware supplier contracts;
 - Broadband and Telephony systems;
 - catering contracts;
 - capital works
 - health and safety advice/management systems;

unless it (a) complements rather than duplicates the Trust offer or, in any other service area, (b) the director of finance business and operations has been consulted; or (c) the contract is of a low value and short term (in the view of the School Governance Committee acting reasonably).

15 Key functions of the School Governance Committee

The School Governance Committee is asked to carry out the following functions:

15.1 Governance

- To champion the Pontefract Academies Trust vision and mission and to ensure the spiritual wellbeing of the pupils
- To determine and champion the educational character, mission and ethos of the school reflecting the wider character, mission and ethos of the Trust
- To ensure that the school has a medium to long-term vision for its future and a robust strategy for achieving it within the context of the Trust Business Plan
- To recommend a Chair and Vice-Chair of the School Governance Committee for appointment or otherwise by the Trust Board
- To determine from its number School Governors with specific responsibilities for special educational needs and inclusion, safeguarding, restricted grants (including pupil premium and sports grant), attendance, health and safety and financial matters.
- To review and amend the policies of the School (in line with any Trust prescribed policy/framework).
- To implement a means whereby the School can receive and react to learner, parental and staff feedback.

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- To establish and maintain a relationship with the members of the local community.

15.2 Finance and contracts

- To nominate a School Governor (who is not the Chair of the SGC) to be responsible for focussing on Finance
- To recommend the annual budget for the school for submission to the Trust Board in accordance with the Trust Budget timetable
- To monitor the school's delegated budget and ensure that any key variances are understood and reported to the Trust Board's Finance and General Purposes Committee for further consideration
- To monitor income, expenditure and cash flow of the school
- To ensure proper financial controls set out in the Trust Financial Regulations and Scheme of Delegation are in place at the school
- To maintain a register of School Governors' business interests in accordance with the Trust Conflicts Policy and Register of Business Interests
- To ensure provision of free school meals to those pupils meeting the criteria
- To enter into contracts up to the limits of financial delegation and within an agreed budget
- To support the Trust Board in its monitoring and evaluation of the delivery of any central services/functions provided/procured by the Trust.

15.3 Curriculum and standards

- To approve the curriculum proposed by the executive headteacher/headteacher/head of school (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 school and Trust.
- To monitor the KPI figures reported from the executive headteacher/headteacher/head of school relating to standards
- To assist in the development of the School Improvement Plan, formally approve it, and monitor its implementation throughout the year.

15.4 Special Educational Needs (SEN) and Inclusion

- To nominate a School Governor to be responsible for focussing on SEN and inclusion
- To ensure the school produce and publish online its School SEN information report in accordance with section 69 of the Children and Families Act 2014
- To ensure that the key responsibilities of the SENCO are drawn up and monitor the effectiveness of the way the responsibilities are carried out against a list of illustrative activities as described in the SEN and Disability Code of Practice, 0-25 – January 2015.
- To review and amend prior to approval the school's SEND policy

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- To provide oversight of the implementation of the policy within the school and compliance with the Disability Discrimination Act requirements.

15.5 Safeguarding and Vulnerable Learners (including looked after children)

- To nominate a School Governor to be responsible for focussing on child protection and vulnerable learners (including looked after children)
- To review and maintain a child protection policy for the school (consistent with the Trust-wide policy)
- To nominate a School Governor to be responsible for attendance to review and maintain an attendance policy for the school (consistent with the Trust-wide strategy and model policy)
- To monitor key attendance data reported from the executive headteacher/headteacher/head of school
- To ensure the completion of the single central record

15.6 Behaviour

- To review and maintain a behaviour policy for the school within the Trust framework
- To convene a panel to review the exclusion of a pupil by the headteacher/head of school and hear any appeal made by a parent against the exclusion.

15.7 Admissions

- To follow the Trust Admissions Policy.
- To make arrangements for determining admissions and hearing admission appeals.
- To ensure effective arrangements are in place for pupil recruitment.

15.8 Pupil related matters

- To nominate a School Governor to be responsible for focussing on restricted grants (including pupil premium and sports grants)
- To review attendance and pupil absences (as part of the KPI report)
- To monitor the impact of the pupil premium in the School
- To monitor the impact of other restricted grants (eg Sports Premium in primary schools).
- To hear complaints at the relevant stage in accordance with the Trust complaints procedures
- To ensure effective arrangements are in place for learner support and representation at the school
- To ensure effective arrangements are in place to hear the views of pupil/student councils
- To support the Trust and the executive headteacher/headteacher/head of school in the extended school provision in the school.

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15.9 Staffing

- To participate in the process to appoint the executive headteacher/headteacher/head of school as requested by the CEO (acting with the delegated authority of the Trust Board). To take part in the performance management of the executive headteacher/headteacher/head of school as requested by the CEO.
- To support the executive headteacher/headteacher/head of school in the development and review (from time to time) of an appropriate staffing structure for the school and for the appointment of school staff to ensure that the school is fully staffed in accordance with that structure
- To ensure that there is effective communication between the headteacher/head of school and the CEO/executive headteacher.
- To ensure that the Trust's policies on all HR matters are implemented consistently in the school.
- To monitor the implementation of the Trust's policies at the school for HR matters including the appointment, induction and performance management of staff, pay review process and procedures for dealing with disciplinary matters, grievances and dismissal.
- To ensure there are sufficient school governors with up to date safer recruitment training to support school recruitment processes when required.

15.10 Information management and communication

- To ensure the effective implementation of the Trust data protection policy and procedures in the School
- To ensure the effective implementation of the Trust freedom of information policy and procedures in the School
- To ensure systems are in place in line with the Trust's strategy at the School for effective communication with learners, parents or carers, staff and the wider community including the support of a local parent teacher association (if established).

15.11 Health, safety, and risk management

- To agree a School Governor to be responsible for focussing on health and safety matters
- To review the risk register of the school and prepare the Risk report for the Trust Audit and Risk Committee
- To ensure the Trust Health and Safety Policy and Procedures are implemented.
- To agree and implement school health and safety policy and procedures in accordance with the Trust-wide policy
- To review the implementation of the school health and safety policy including ensuring that appropriate risk assessments are being carried out in the school
- To participate in Health and Safety Competent Officer reviews to identify any health and safety issues and/or the security of premises and equipment

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16 **Alterations**

This constitution and these terms of reference were approved and adopted by a resolution of the Trust Board. This constitution and these terms of reference may only be altered by a majority resolution of the Trust Board.

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ANNEX 1

(a) Chair

- to chair meetings of the School Governance Committee
- will uphold the highest standards of integrity, probity and good governance, leading by example,
- will build a cohesive team of School Governors, delegating tasks across the School Governing Committee so that all members contribute, share responsibility for the overall workload and feel that their individual skills, knowledge and experience are well used;
- will lead on supporting the Trust in evaluating the performance of the School Governance Committee as a whole, as well as individual Committee members, preferably on an annual basis;
- The Chair's performance will be subject to review by fellow Committee members;
- follow through on any training and development needs which have been identified from performance reviews ensuring that training needs are identified to the Trust and that he/she and other Committee members take personal responsibility for attending training which is arranged for them;
- take the lead in ensuring a proper induction programme for all new appointees;
- play a crucial role in managing communications, this includes with the Trust Board and the executive leadership in the Trust;
- develop positive relationships with the Trust Board/CEO/Executive Headteacher/Headteacher/Head of School as a critical friend offering support, challenge and encouragement;
- support the Trust in holding the Headteacher/Head of School to account for outcomes in the school and in ensuring there is rigour in the management of their performance;
- To agree with the executive headteacher/headteacher/head of school and Vice-Chair each School Governance Committee meeting agenda within the Trust Work Plan framework for meetings;
- work with the Headteacher/Head of School to ensure that all members of the School Governance Committee receive accurate, timely and clear information. This will enable the Committee to make decisions based on evidence and properly discharge their duty to promote the success of the school. Information should be circulated at least 5 working days in advance of the meeting being held to allow reading time;
- manage Committee debates to ensure that vociferous individuals do not dominate, particularly if this discourages quieter individuals from contributing.
- elicit the views of the Committee and will not manipulate the discussion to reflect their own views;
- ensure that the work of the School Governance Committee reflects scrutiny, monitoring and challenge of school improvement priorities and that the requirements of the Governance Policy and Scheme of Delegation are met;
- ensure that the work of the School Governance Committee focuses on strategic oversight rather than operational management decisions and detail;
- manage the School Governance Committee to ensure that sufficient time is allowed for discussing complex or contentious issues;
- ensure that agreed actions are followed through.

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- Support continual improvement of governance by networking, supporting and sharing good practice with other Chairs within the Trust;
- To ensure that any resignations of School Governors are notified in writing to the Chair of Trustees at the earliest opportunity;
- To ensure that all School Governors complete and sign declarations of Conflicts and Business Interests, and Gifts and Hospitality;
- to ensure that any updates to the declarations of conflicts and business interests are immediately reflected on a new declaration and submitted to the Chair of Trustees at the earliest opportunity;
- to report to the Trust Board in writing following any School Governance Committee meeting, if requested;
- to give an oral summary of the School Governance Committee's deliberations, if requested, at meetings of the Trust Board; and
- to provide a direct link between the School Governance Committee and the Trust Board/Executive Team via the Chairs Forum.

A Chair will **not** be:

The finance nominated governor or Chair any working group which may carry out the duties of the finance nominated governor.

(b) Vice Chair

- Where the Chair is absent from any meeting or there is at the time a vacancy in the office of Chair, the Vice –Chair will act as Chair for all purposes;
- Supporting the chair in the conduct of meetings
- Using time effectively by planning the year's cycle of meetings and a timetable for action in conjunction with the Chair;
- Listening and being a critical friend to the Chair;
- Supporting the indication of new school governors
- Supporting the link for training of school governors
- Support continual improvement of governance by networking, supporting and sharing good practice with other Vice-Chairs within the Trust

(c) Parent School Governor

- Parents wishing to be considered for parental election will make an application to the Trust Board who will consider whether their skill set meets the requirements of the School Governance Committee in the first instance.
- A parent governor is elected by fellow parents, they are a representative and not a delegate of parents. They will not vote in a particular way because they have been pressed to do so by parents.
- A parent governor will consider how the School Governance Committee communicates with parents and how it can improve links.
- A parent governor will consider how accessible the School Governance Committee is to parents and how the work of the School Governance Committee can be promoted with Parents.
- A parent governor will be prepared to explain to parents if approached why the School Governance Committee (not including any detail on who said what) has made a decision in a certain way unless the matter is confidential.
- A parent governor will signpost parents to the Trust Complaints Policy if approached in regard to an individual parental concern/complaint.

Appendix F: School Governance Committee

- A parent governor will promote the interests of **all** children and the school.
- Support continual improvement of governance by networking, supporting and sharing good practice with other Parent Governors within the Trust

A parent governor will **not**:

- Use school governance committee to promote individual matters/issues in respect their own child(ren).
- Break confidentiality if they experience a conflict between being a parent and being a School Governor (ie a decision which may adversely affect their own child(ren)) by discussing their concerns outside School Governance Committee meetings.
- Address individual parental concerns/complaints, however if they become aware of widespread issues regarding school policy or practice then they will alert the headteacher and chair.

(d) Curriculum, Progress and Attainment School Governor

- Provide a link between the School Governance Committee and the relevant school staff on questions of curriculum and learner progress/attainment;
- Be aware of the Curriculum Policy including statutory obligations relating to the curriculum and ensure it is reviewed annually;
- Meet with the headteacher/head of school to discuss progress and attainment targets for different groups (ie high attainers, disadvantaged etc), the impact of strategies/school development priorities, and the outcomes of independent reviews (MRE/Peer)
- Ensure the School Governance Committee receives reports on how strategies /school development priorities are progressing, the impact on progress and attainment; and reports on the outcomes of independent reviews (MRE/Peer)

(e) SEN and Inclusion Nominated School Governor

- Provide a link between the School Governance Committee and the relevant school staff on questions of SEN;
- Provide a link between the School Governance Committee and the Trustees/Executive team on questions of SEN;
- Raise the profile of SEN and ensure SEN stays on the agenda;
- Understand how the school identifies a learner with SEN; and what happens once a learner has been identified;
- Meet with the headteacher/head of school and Special Educational Needs Co-ordinator (SENCO) regularly to discuss how action is progressing and become better informed about school SEN issues
- Be aware of the progress that learners with SEN are making;
- Be aware of how funding is allocated to provide support for pupils with SEN;
- Be aware of the requirement to produce and publish online the school's SEN Information Report in accordance with section 69 of the Children and Families Act 2014
- Be aware of the requirement for the school to have arrangements in place to support children with medical conditions (section 100 Children and Families Act 2014)
- Be aware of the SEN policy and ensure it is reviewed annually

Appendix F: School Governance Committee

- Be aware of any curriculum arrangements or modified day plans that staff implement to support learners;
- Report to the School Governance Committee a headteacher/head of school agreed summary of the above and be aware that specific information regarding individual learners is and should remain confidential at all times (if approached by a parent with a complaint or problem encourage them to discuss with the headteacher/head of school)
- Support continual improvement of governance by networking, supporting and sharing good practice with other SEN and Inclusion Nominated Governors within the Trust

Some questions which the SEN and Inclusion Nominated School Governor might ask:

- When was the current policy and practice in SEN reviewed and does it reflect the latest SEN Code of Practice
- The progress and effectiveness of the current policy
- The effectiveness of communications with parents
- How does the school listen to learners with SEN
- Attendance and exclusion levels for pupils with SEN
- Are identified needs being fully provided for;
- Are children with SEN included in all aspects of school life together with learners without SEN (including extra-curricular activities)
- Are children with SEN making progress and how is it measured

The role is **not** about intervening in the teaching of individual pupils

- Attending meetings with individual parents; or
- Undertaking discussions about individual pupils needs

(f) Safeguarding and Vulnerable Learners (including Children Looked After) Nominated School Governor

- Provide a link between the School Governance Committee, and the relevant school staff on questions of Child Protection / Children Looked After;
- Provide a link between the School Governance Committee and the Trustees/Executive Team on questions of Child Protection, Vulnerable learners, and Children Looked After;
- Raise the profile of Child Protection and ensure that Child Protection stays on the agenda;
- Ensure an appropriate policy/policies are in place and implemented effectively in association with other policies and that it is readily accessible to all;
- Meet with the headteacher/head of school and/or designated Child Protection Co-ordinator and/or designated looked after children teacher regularly to discuss the effectiveness of the school policy;
- Ensure staff are trained so that they are kept up to date on Child Protection
- Ensure that accurate records are being kept by the school and that the school has the appropriate communication levels and works well with the relevant external agencies/carers
- Report to the School Governance Committee a headteacher/head of school agreed summary of the above and be aware that specific information regarding individual learners is and should remain confidential at all times (if approached

Appendix F: School Governance Committee

by a parent with a complaint or problem encourage them to discuss with the headteacher/head of school)

- Support continual improvement of governance by networking, supporting and sharing good practice with other Safeguarding and Vulnerable Learners Nominated School Governors within the Trust

Some questions the Safeguarding and Vulnerable Learners Nominated School Governor might ask:

- When was the Child Protection Policy and practice last review and is it consistent with 'Keeping children safe in education' statutory guidance; and incorporate or set out in a separate policy the requirements of the 'Prevent Duty' statutory guidance
- What is the effectiveness of communication with external agencies and carers
- How many children do we have on the Child Protection / Looked After Children register and are their needs being met; and
- What are the levels of attendance and attainment for learners on the Child Protection/Looked After Children register;

The role is **not** about intervening in the teaching of individual pupils

- Attending meetings with individual parents; or
- Undertaking discussions about individual pupils needs

(g) Attendance Nominated School Governor

- Provide a link between the School Governance Committee and the relevant school staff on questions of Attendance;
- Provide a link between the School Governance Committee and the Trustees/Executive team on questions of Attendance;
- Familiarise themselves with the school has an Attendance Policy and Procedures and check that they are in accordance with the Trust Attendance Strategy;
- Review the latest attendance figures with termly/annual comparisons and targets, identifying areas of concern;
- Be aware of strategies used to increase attendance together with any sanctions that in place for those that fall below the agreed targets; and
- Report to the School Governance Committee a headteacher/head of school agreed summary of the above, celebrating good attendance where appropriate, and be aware that specific information regarding individual learners is and should remain confidential at all times
- Support continual improvement of governance by networking, supporting and sharing good practice with other Attendance Nominated School Governors within the Trust

Some questions the Attendance Nominated School Governor might want to ask:

- Has the School Governance Committee agreed/reviewed the attendance policy and is it in accordance with the Trust Attendance Strategy and model school policy and does it reflect the ethos of the school and comply with latest legislation;

Appendix F: School Governance Committee

- What are the attendance figures per year group/per term over the last year(s) and has there been progress against set targets
- Are sanctions for poor attendance issued and adhered to, and are sanctions having impact
- Do we have good communications with parents/families/carers, external agencies;
- How do we celebrate good attendance and are celebrations having impact

(h) Restricted Grants/Donations Nominated School Governor

- Provide a link between the School Governance Committee and the relevant school staff on questions of restricted grants/donations;
- Provide a link between the School Governance Committee and the Trustees/Executive team on questions of restricted grants/donations;
- Ensure that funding is spent in accordance with the intended purpose;
- Familiarise themselves with the school pupil premium / sports grant funding, planned spending and impact
- Ensure that the school has reported plans, spending, impact on its website where required by the grant conditions
- Support continual improvement of governance by networking, supporting and sharing good practice with other Restricted Grants/Donations Nominated School Governor within the Trust

Some questions the Restricted Grants/Donations Nominated School Governor may want to ask

- What is the pupil premium/sports premium spending and impact against plans;
- What are the eligible numbers of pupils premium children and how is funding allocated to them;
- What other restricted grants/donations have we received and have we complied with the intended purposes and recorded their receipt in accordance with the Trust's Policies/Procedures

(i) Health and Safety Nominated School Governor

- Provide a link between the School Governance Committee and the relevant school staff on questions of Health and Safety;
- Provide a link between the School Governance Committee and the Trustees/Executive team on questions of Health and Safety;
- Ensure that the school has a Health and Safety Policy and Procedures which are in accordance with the Trust Health and Safety Policy and Procedure framework
- Ensure that the school works with the Trust designated Competent Person for the school and that regular reports are received from reviews;
- Participate in reviews by the designated Competent Person whereby the school premises are reviewed for H&SW compliance;
- Ensure that the school informs the School Governance Committee of any health and safety issues
- Ensure that the school reports to the School Governance Committee the numbers of accidents, incidents and near misses
- Support continual improvement of governance by networking, supporting and sharing good practice with other H&SW School Governors within the Trust

Appendix F: School Governance Committee

Some questions the H&SW Nominated School Governor might want to ask

- Has the School Governance Committee agreed, signed and dated the School Health and Safety Policy and Procedures in accordance with the Trust Health and Safety framework;
- Does the policy meet statutory health and safety requirements
- Who is the appointed school competent person
- Who is the appointed school health and safety representative
- Is there a record of training and is all training up to date
- How does the school ensure that it's H&SW management procedures are working effectively
- What are the main causes of accidents, incidents, and near misses and have we implemented any changes with the aim of reducing them

The role is **not** about carrying out the role of a Health and Safety Inspector.

(j) Finance Nominated School Governor (who would not usually be the Chair of the School Governance Committee)

Provide a link between the School Governance Committee and the relevant school staff on questions of Finance;

- Provide a link between the School Governance Committee and the Trustees/Executive team on questions of Finance;
- Ensure that the school has procedures in place in accordance with the School Financial Regulations and Scheme of Financial Delegation
- Ensure the school works with the Director of Finance Business and Operations, Trust appointed external and internal auditors as required;
- Ensure the school reports on and implements actions recommended by the external and internal auditors
- Ensure that the school reports on the financial position/plans of the school and of any key variances between the Trust Approved Budget and the Actual Spend to date; and the Trust Approved Budget and the projected outturn spending;
- Ensure that the school seeks approval from the School Governance Committee where required by the Financial Regulations and Scheme of Financial Delegation;
- Ensure that the school has a robust three year plan with clear assumptions underpinning it, including links to costed priorities in the school improvement plans
- Understand how class sizes and contact ratios influence the sustainability/performance of the budget and in secondary schools understand how this influences the curriculum offer
- Support continual improvement of governance by networking, supporting and sharing good practice with other Finance Nominated School Governors within the Trust

Some questions the Finance Nominated School Governor might want to ask:

- How do we implement key aspects of the Financial Regulations and Scheme of Financial Delegation
- What are the reasons for the key variances between our actual spending and our approved budget
- What considerations/assumptions have been made in arriving at a projected outturn

Appendix F: School Governance Committee

- What are our class sizes and contact ratios and how do they impact our budget performance
- What is our percentage of total spend on leadership, teaching, other staff, other costs and how does this compare with similar schools

The role is **not** about getting involved in day to day operational financial management

- Determining which suppliers a school should or should not use

(k) Early Years Nominated School Governor

- Ensure that EYFS provision remains high on the school agenda and reporting on EYFS provision is equitable and consistent with other key stage provision.
- Ensure the school has an Early Years Policy in place ensuring it is accessible to and understood by all members of staff.
- Contribute to the development of a review schedule for all EYFS policies and ensure reviews are in line with statutory requirements
- Monitor the implementation of the assessment of early learning goals and target setting procedures to ensure that all groups of children within the EYFS, including the most vulnerable, make good and expected progress
 - Be familiar with and monitor the learning and development opportunities for children in the EYFS, to include:
 - Communication and language.
 - Physical development.
 - Personal, social and emotional development.
 - Literacy.
 - Mathematics.
 - Understanding the world.
 - Expressive art and design
- Monitor how the school keeps parents up-to-date with their child's progress

Some questions the Early Years School Governor might want to ask:

- What training have practitioners accessed to ensure that they know and understand how to deliver EYFS effectively?
- What are the entry levels of the children coming into Reception (schools should be assessing children on entry against Development Matters statements)? When do baseline assessments take place?
- How is progress in EYFS tracked? How often does this take place? How do you know assessments are accurate? What moderation activities take place? Is this with nurseries as well as other reception classes across the LA?
- What are the children's exit levels in EYFS at the end of Reception? What is the trend of these results over time? Are there any particular areas which need to be focused on? Are these cohort specific or school specific? How are these areas being addressed?
- What sort of support do we offer parents during times of transition and during a child's time in Early Years?
- Are the children in EYFS enjoying an active approach to learning with opportunities to play, explore and be creative? What evidence do you have of this?
- How are those children with SEN identified early, and what support do we give to parents of children with SEN in EYFS?

Appendix F: School Governance Committee

- What is the budget for EYFS? How has this been spent and how does it improve the outcomes for children

Appendix G: School Governor Applicant Letter

The Trustees
Pontefract Academies Trust
c/o St Mary's Community Centre
The Circle, Chequerfield
Pontefract WF8 2AY

DATE	
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Dear Trustees

Pontefract Academies Trust (“the Trust”) –appointment/re-appointment [delete as appropriate] as a School Governor

I confirm that I wish **undertake/continue to undertake [delete as appropriate]** the role of School Governor in respect of

	School
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and in accordance with the Terms of Reference for School Governance Committees prescribed by the Trust.

I confirm that I am not disqualified from becoming a School Governor by reason of any provision in the Code of Conduct for Trustees and School Governors (and by extension the Articles of Association of the Pontefract Academies Trust).

I confirm that I have attached with this letter a declaration of willingness and eligibility to act as a School Governor and my contact details.

I understand that any appointment will be subject to me providing all necessary further documentation required to confirm my suitability for holding office by presentation of a valid criminal records certificate at an enhanced disclosure level under section 113B of the Police Act 1997 (known as DBS Certificate) for inspection, or co-operating with all the requirements to obtain the relevant disclosure.

Signature	
Print Name	
Date	

Appendix H: Code of Conduct for Trustees and School Governors

1 Objectives of the Code of Conduct

- 1.1 This Code of Conduct (the Code) applies to all Trustees and School Governors.
- 1.2 The Code sets out the standard of personal behaviour required of the Trustees and School Governors and to assist them in understanding their legal and ethical duties. It is not however a definitive statement of the law or good practice.
- 1.3 A condition of being appointed and remaining as a Trustee or School Governor is an acceptance of the Code and all Trustees and School Governors are required to sign a confirmation that they have received and read the Code and that they agree to comply with it.

2 Status of School Governors

- 2.1 School Governors exercise their responsibilities on behalf of the Trust Board in accordance with the Trust Governance Policy and Scheme of Delegation. They are expected to comply with the Code but this does not mean that they are or become charity trustees or company directors through the signing of this document.

3 Key Duties

- 3.1 **The Duty of Compliance** - to aim to achieve the charitable objectives set out in the Articles of Association and to ensure that resources are used only to achieve those objectives.
- 3.2 **Duty of Prudence** – to ensure that the Trust or individual school remains solvent and keep up to date with the current financial position. Avoid activities which might put the assets or reputation of the Trust and/or the individual school at risk
- 3.3 **The Duty of Care** – to exercise reasonable skill and care, using personal knowledge and experience to ensure that the Trust or individual school is well run and efficient. At all times be diligent, careful and well informed about the Trust or individual school and make use of any particular skills and experience.
- 3.4 **Act within Powers conferred** - to always act within the powers conferred and use those powers only for the purposes given. Trustees and School Governors must be familiar with and act only in accordance with the Trust's Articles of Association, Master Funding Agreement, Trust Governance Policy and Scheme of Delegation, and Trust Financial Regulations and Scheme of Financial Delegation.
- 3.5 **Promote the best interests of the Trust** – to act in a way that promotes the best interests of the Trust and the individual school, taking everything relevant into account.
- 3.6 **Use independent Judgement** – to exercise judgement independently of the influence of others. Rely on expert advice and delegate responsibilities to committees although the Trust Board remains collectively responsible in law for decisions.
- 3.7 **Avoid conflicts of interest** – to ensure that any personal interests do not interfere with those of the Trust or individual school. Trustees and School Governors must comply with the "Trust Conflicts Policy including Register of Business Interests for

Appendix H: Code of Conduct for Trustees and School Governors

Trustees, School Governors, and Employees” which includes the procedures for declaring all private interests to ensure that there can be no question of undue influence.

3.8 Whilst acting in official capacity give the impression to anyone that you are influenced, or might be to show favour or disfavour to any person or organisation by receiving any gift, reward, hospitality, loan or other consideration –Trustees and School Governors must comply with the “Trust Gifts and Hospitality Policy” which includes the procedures for declaring any gifts or hospitality received.

3.9 Mutual respect between Trustees, School Governors and employees is essential to effective management. Personal familiarity with any individual employee may arise. Where such a personal relationship does exist, the relationship must always be disclosed when relevant to Trust activities.

Trustees or School Governors should avoid discussing, within the context of a personal relationship, any information of a private or personal and confidential nature which they may become aware of in the course of their duties.

3.10 Any material breach of the Code of Conduct will result in a Trustee or School Governor being removed.

4 Eligibility

4.1 No person shall be qualified to be a Trustee or School Governor unless he/she is aged 18 or over at the date of his/her election or appointment. No current learner of any of the Trust Schools shall be a Trustee or School Governor.

4.2 A Trustee or School Governor shall cease to hold office if he/she becomes incapable by reason of illness or injury or managing or administering his/her own affairs.

4.3 A Trustee or School Governor shall cease to hold office if he/she is absent without the permission of the Trustees from all their meetings held within a period of six months and the Trustees resolve this his/her office be vacated.

4.4 A person shall be disqualified from holding or continuing to hold office as a Trustee or School Governor if:

- He/she has been declared bankrupt and/or his/her estate has been seized from his/her possession for the benefit of his/her creditors and the declaration or seizure has not been discharged, annulled or reduced; or
- He/she is the subject of bankruptcy restrictions order or an interim order.

4.5 A person shall be disqualified from holding or continuing to hold office as a Trustee or School Governor at any time when he/she is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(20(b) of the Insolvency Act 1986 (failure to pay under county court administration order).

4.6 A Trustee or School Governor shall cease to hold office if he/she ceases to be a Trustee or School Governor by virtue of any provision in the Companies Act 2006, is

Appendix H: Code of Conduct for Trustees and School Governors

disqualified from acting as a trustee or School Governor by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).

- 4.7 A person shall be disqualified from holding or continuing to hold office as a Trustee or School Governor if he/she has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he was responsible or to which he was privy, or which he by his conduct contributed to or facilitated.
- 4.8 A person shall be disqualified from holding or continuing to hold office as a Trustee or School Governor where he/she has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 of the Charities Act 2011.
- 4.9 A person shall be disqualified from holding or continuing to hold office as a Trustee or School Governor if he/she has not provided to the Chair of the Trustees a criminal records certificate at an enhanced disclosure level under section 113B of the Police Act 1997. In the event that the certificate discloses any information which would in the opinion of either the chair or the Chief Executive Officer confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.
- 4.10 Where, by virtue of this Code, and in accordance with the Articles of Association, a person becomes disqualified from holding, or continuing to hold office as a Trustee; and he/she is, or is proposed to become such a Trustee or School Governor, he/she shall upon becoming so disqualified give written notice of that fact to the Chair of Trustees.

Appendix I: Declaration of Willingness and Eligibility to Act as a School Governor

1. Willingness to act as a School Governor

I confirm that I am willing to/continue to be willing to act as a School Governor on behalf of the Trustees of the Pontefract Academies Trust (Registered Company Number 8445158).

2. Compliance with the Memorandum and Articles of Association

I confirm that I am fully aware of and support the Pontefract Academies Trust's (the Trust's) charitable purposes (it's Objects) as set out in the Pontefract Academies Trust Memorandum and Articles of Association, and that I will at all times act in accordance with the Pontefract Academies Trust Memorandum and Articles of Association.

3. Eligibility to act as a School Governor

I declare that I am eligible to act as a School Governor as set out in paragraph 4 of the Pontefract Academies Trust Code of Conduct for Trustees and School Governor.

I have co-operated fully with all eligibility checks the law requires including those relating to the Disclosure Barring Scheme.

4. Responsibilities

I understand the responsibilities involved in carrying out the duties conferred to me in the Pontefract Academies Trust policies and procedures, in particular:

- Trust Governance and Scheme of Delegation
- Financial Regulations and Scheme of Financial Delegation
- Code of Conduct for Trustees and School Governors

I understand that I shall be expected to undertake whatever training or development activity is needed to fill any gaps in the skills I have to effectively contribute to the School Governance Committee.

5. Conflicts

I understand that in acting as a School Governor on behalf of the Trustees of Pontefract Academies Trust, I must always act in the interests of the Trust, and not in my own personal interests or those of any organisation or other person I am connected with. To this extent I have complied fully with the Pontefract Academies Trust policies and procedures, in particular:

- Conflicts Policy including Register of Business Interests for Trustees, School Governor, and Employees
- Gifts and Hospitality Policy

If I become aware that I no longer fulfil or may no longer fulfil the above criteria I shall notify the Chair of the Trustees in writing immediately.

Designated School	
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Signature		Date	
Print Name			

I have attached my contact form as requested and understand that they shall be retained by the Trust for the purposes of maintaining containing contact with me (tick to confirm)	
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Appendix I: Declaration of Willingness and Eligibility to Act as a School Governor

DESIGNATED SCHOOL	
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Full Forename(s)	
Surname	
Building Number	
Street	
Post Town	
Post Code	

Contact Telephone Number	
Contact Email Address	
Signature (to confirm above)	

OFFICE USE ONLY:

Appointment Date	
------------------	--

Term of Office Expiry Date (each Term of Office no more than 4 years)	
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DBS Number		Dated	
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DBS confirmed on behalf of the Chair of Trustees by:

Signature	
Print Name	
Date	

This record shall be retained centrally by the Pontefract Academies Trust and the designated school for the purposes of maintaining contact. It shall not be disclosed to any third party unless required to do so by Law. The record shall be retained for a period as required by legislation following a School Governor ceasing to act on behalf of the Trustees.

Appendix J: Retention of Governance records, files and reports

1. In accordance with the Master Funding Agreement clause 97 – 99, the Trust Board is responsible for ensuring that all records relating to the running of the Trust are retained, this includes:
 - The agenda for every meeting of the Trustees, their Committees, including School Governance committees
 - The draft minutes of every such meeting, if they have been approved by the person acting as chairman of that meeting
 - The signed minutes of every such meeting; and
 - Any report, document or other paper considered at any such meeting
2. The Chief Executive Officer is responsible for making arrangements to ensure that all records of relating to meetings of the Members, Trust Board, Audit and Risk Committee, Finance and General Purposes Committee, and Educational Performance and Impact Committee are retained in a central secure location.
3. Each Executive Headteacher, Headteacher, and Head of School are responsible for making arrangements to ensure that all records relating to meetings of the School Governance Committees are retained in a central secure location within the school/and/or Trust identified location if required.
4. The above records should be retained and made available for DfE/EFA inspection on request or any other interested party (subject to excluding any material relating to an employee/potential employee, named pupil/potential pupil, any other matter which, by reason of its nature the Trust is satisfied should remain confidential).

