



Sheffield South East Trust

Scheme of Delegation and Accountability Framework

Version 4.4

Last reviewed on:	10/03/2025
Next review due by:	09/03/2026

Rationale

The underlying principles for this Scheme of Delegation are;

That all academies, ultimately, are in a partnership of equals irrespective of their length of membership

1. The Sheffield South East Trust is a registered charity and it remains true to its aims and objectives.
2. The Sheffield South East Trust is mindful that their function is to ensure that all statutory obligations are met (there are differences in the governance arrangements of maintained schools and academies).
3. The Sheffield South East Trust believe the members of Local Governing Bodies are best able to service the needs of their Academy and their local community.
4. The Sheffield South East Trust Board's intention is to be as light-touch as possible within the Scheme of Delegation

General Information

The following is taken from Sheffield South East Trust's founding vision statement:

The Sheffield South East Trust will play an active and leading role in the Sheffield South East Learning Partnership (SSELP) of which its founding schools are all active participants and members.

By forming our own Trust, we are agreeing, on a binding and lasting basis, to work together as a highly effective collaborative. Our vision is, through a holistic approach, to enhance learning and lifelong outcomes for all children in our schools. We envisage that we will be stronger together, working together for the benefit of all children and for the achievement of all children and their families. We will support and engender the ambition to raise the aspirations of all children and of all families. This will be evident in everything that we do. We will bring an absolute focus on securing better outcomes within the Trust through a creative and engaging curriculum. As one Trust we will create high quality provision and seek to ensure that we are innovative in engaging those who work with us. We will develop and embed further parental partnerships and early intervention, creating an involvement in the child's development at the earliest opportunity.

As one Trust we will take collective responsibility and be accountable to ensure that all children are ready for the next stage of their life, at each transition throughout their childhood. We will monitor and review our work to identify gaps. We will work tirelessly to fill these gaps and to improve, as part of the Trust's intervention and support programme.

We will be outward facing, seeking new ideas and experiences that will benefit our children. We will be a Trust that is at the forefront of advances in technology in learning, and we will be innovative and imaginative to ensure that our creative curriculum develops the whole child, recognising special talents whether that be in sports, music or in the arts. We will develop an associate membership scheme to ensure the Trust is not insular and that best practice and approaches can be exchanged, broadening the base and reach of the Trust.

As a Trust we will secure high quality teaching and will be innovative in recruiting all positions with high quality professionals. In so doing we will improve recruitment and deployment of staff. We will agree common approaches and apply these within a common framework. We will provide world class professional opportunities for our staff. We will use the ability to pool and share resources to broker the best educational support that is available for our children and families.

Schools in the Trust will have equal voice and contribution, with all schools in the Trust shaping and leading the organisation. We will enshrine and optimise the individual character and community of each school within the Trust. We commit to retaining local governance in each school.

By working together will bring a richer experience for all. By working together, we commit to ensure that all children will be safe and will not slip through the net, and in so doing we will ensure that no child gets left behind.

The Sheffield South East Trust Members

Members are responsible for the appointment of Trustees on to the Sheffield South East Trust Board. The Sheffield South East Trust currently has five members:

- Keith Crawshaw (Chair of the Board of Trustees)
- Mike Allen
- Stephen Anwyll
- Debbie Matthews
- Liz Tunnard

Wybourn, Manor Lodge and Phillimore Primary Schools are the founding academies within the Trust and are the principal sponsors of The Sheffield South East Trust. Just as with The Sheffield South East Trust their objectives are to promote education in the United Kingdom, by sponsoring academies and providing school improvement and other services.

The Sheffield South East Trust

Each Academy is ultimately governed by the Trust. The Sheffield South East Trust shall have regard to (but for the avoidance of doubt shall not be bound by) any guidance as to the governance of the academies that the Secretary of State may publish. The Sheffield South East Trust will establish, for each Academy, Local Governing Bodies, whose role is to oversee the running of the academy on behalf of the Trust. Each Local Governing Body is, constitutionally, a Committee of the Trust,

Communication between the Board and Local Governing Bodies

The Board meet at least once a term regularly. The Chair of the Sheffield South East Trust and CEO will schedule meetings with the Headteachers and Chairs of Local Governing Bodies as and when required. This provides an opportunity for information sharing between The Sheffield South East Trust and Local Governing Bodies and have issues raised which may have influence across its broader family as well as particular institutions. 'Feedback from the Trust' will be a standing item on all Local Governing Body agenda.

Trustees of The Sheffield South East Trust

- Keith Crawshaw - Chair of the Board of Trustees
- John Doyle
- Derek Grover
- Paul Stead
- Marie Lowe
- Anne Sheeran
- Chris Welsh
- Rosey Andrassy
- Simon Smith

Members of the Trust Leadership Team (TLT) are invited to be in attendance at the request of the Board.

Central Functions

We aim to be a cost effective academy trust. A contribution of 5% of each academy's GAG income is levied which enables all academies access to a range of functions and services as and when required. This excludes any surplus carried forward or income generated by the Academy. In addition, when necessary, specific charges are made for bespoke intervention when curriculum and performance require e.g. long term or significant deployment of lead practitioners. In accordance with the Academies Trust Handbook there is a right of appeal for each academy to challenge the level of contribution to the central functions.

Deployment of lead practitioners

The ultimate responsibility for the deployment of lead practitioners belongs to the CEO. This will be based on identified need. Academy Headteachers should discuss their requirements with the CEO who will then broker that support on their behalf.

Key areas of delegation

Delegated Duty	Delegated Authority	Comment
Admissions	CEO	All Academies will follow the Local Authority admission policy for 4-11 year olds.
Capital Programme	The Sheffield South East Trust	Proposed capital programmes need to be submitted by June each year with the approval of the CFO and CEO
Capital Programme Contract Variations	CEO – if within agreed programme budget/contingency The Finance, Audit and Risk Committee– if exceeding agreed programme budget/contingency	It is suggested that a 15% contingency is built into all programmes to allow for some local contract variation during the programme.
Health and Safety	The Sheffield South East Trust	It is the responsibility of The Sheffield South East Trust to ensure that health and safety laws are adhered to and the appropriate health and safety certificates are in place. The operational compliance of this function will be delegated on a day to day basis to Headteachers and School Managers
Income Generation	Headteacher	Any income generated belongs to each individual Academy for them to invest in the future learning of the children.
Investments	The Finance, Audit and Risk Committee	The Sheffield South East Trust will invest any surplus monies as outlined in the Trust Investment Policy. Investment decisions will be approved by the Finance, Audit and Risk Committee.
Permanent Exclusions	Headteacher and The Sheffield South East Trust Board	All Academies will follow the Trust's Behaviour Policy for permanent exclusions and work with the Local Authority to ensure independent permanent exclusion appeals.
External Service Level Agreements / Contracts	Academy – School Manager The Sheffield South East Trust – CFO and CEO	Depending on the context of each Academy, each Academy may have different SLAs / Contracts in place. It is the responsibility of the School Manager, working with the CFO, to manage local SLAs and contracts. From time to time The Sheffield South East Trust may procure SLAs on behalf of all academies as part of a best value review.
Safeguarding	The Sheffield South East Trust	The Sheffield South East Trust will, in respect of each Academy, act in accordance with, and be bound by, all relevant statutory and regulatory provisions for safeguarding. All Academies will follow The Sheffield South East

Delegated Duty	Delegated Authority	Comment
		Trust's policy on safeguarding (the same staff identification scheme will operate in all Academies).

Financial delegation

Financial Levels of Authority

Budget Setting
All final Academy budgets must be agreed by LGBs during the first week in June. These must then be submitted to the Board for ratification during the first week in July. Indicative budgets must be in place by April each year. Budgets require authorisation by the Headteacher, CEO and CFO prior to being presented to the Board. All Headteachers will submit their Academy Improvement Plan, Summary SEF and Financial Plans to the CEO for submission to the Board by the beginning of October each year.

Authorisation Levels

All financial procedures must comply with The Academies Trust Handbook and The Sheffield South East Trust Financial Regulations.

Delegated Duty	Value	Delegated Authority	Method
Ordering goods and services	Up to £5k	Headteacher/School Manager	To be placed securing value for money and using a preferred supplier wherever possible. 2 Signatories required.
	>£5k to £20k	Headteacher/School Manager	As per Financial Regulations
	>£20k to £50k	Headteacher + CEO	As per Financial Regulations
	Over £50k	As above plus Chair of Finance Committee	Formal tendering process in line with financial regulations
Transactions with related parties	Any value	CFO and CEO	All financial transactions with related parties to be approved by the CFO and Finance Committee, who will ensure the correct ESFA approval process is followed.
Signatories for cheques, BACs payment authorisations, and other bank transfers (excluding internal bank transfers).	Unlimited	Two signatories from authorised signatory lists (see below). For sums above £20,000 one of the signatories must be the CEO or CFO.	
Internal transfers between trust bank accounts	£300k	CFO	CEO and relevant headteachers to be notified of all transfers.
Signatories for ESFA/DFE grant claims and returns	Unlimited	CEO and or CFO.	
Virement of budget between budget headings (but within overall approved budget for the Academy)	Up to £20k	Headteacher	
	>£20k to £50k	As above plus CEO +CFO	
	Over £50k	As above + Trust Finance Committee	

Request for additional spend outside the overall approved budget for the Academy (including contingency budget)	Up to £50k Over £50k	Finance Committee Board of Trustees	Completion of Budget Increase Request form, for approval by relevant delegated authority
Disposal of moveable assets	Up to £10k	Trust Finance Committee	In accordance with Financial Regulations*
	>£10k to £20k	Board of Trustees	
	Over £20k	As above plus ESFA approval for assets funded with more than £20k ESFA / DFE grant	
Write off of bad debts	Up to £2k	CEO + CFO	Report to CFO
	Over £2k	As above plus Finance Committee, plus ESFA if breaching delegated limits in AFH	
Entering into Equipment leases / leaseholds / tenancy agreements	Any	CFO, plus ESFA approval required where specified in ESFA Academies Financial Handbook	Maintain lease register in accordance with Financial Regulations*.
Purchase or sale of any freehold property	Any	Board of Trustees plus ESFA	
Guarantees, Indemnities and letters of comfort.	Any	Board of Trustees plus ESFA	
Ex-gratia payments	Any	Board of Trustees plus ESFA	
Severance or Compensation payments	Up to £50k (non-statutory/ non-contractual)	Finance, Audit and Risk Committee	
	Over £50k	Board of Trustees plus ESFA	

Delegated Authorities

Transaction Type	Authorised level	Who
Purchase Card	£1000	Academy - School Manager
Purchase Card	£2000	Trust – Chief Financial Officer
Purchase Card	£3000	Trust – Chief Executive Officer

Authorised Signatories

Any two from the following:

The Sheffield South East Trust Ltd	CEO, CFO, Financial Controller, Trust Business Advisor
Wybourn	Headteacher, Deputy Headteacher, School Manager, CEO, Finance Director/CFO
Acres Hill	Headteacher, Assistant Headteacher, School Manager, CEO, Finance Director/CFO

Phillimore	Headteacher, Deputy Headteacher, School Manager, CEO, Finance Director/CFO
Manor Lodge	Headteacher, Deputy Headteacher, School Manager, CEO, Finance Director/CFO
Norfolk	Headteacher, Deputy Headteacher, School Manager, CEO, Finance Director/CFO
Woodhouse West	Headteacher, Deputy Headteacher, School Manager, CEO, Finance Director/CFO
Gleadless	Headteacher, Deputy Headteacher, School Manager, CEO, Finance Director/CFO

HR delegation

APPOINTMENTS		
All appointment panels must contain at least one member who has undertaken Safer Recruitment Training The CEO may nominate an alternative representative if they are unavailable to attend a panel		
CEO	Trust Board (minimum of 3 members, with non-voting co-optees as required)	
Trust Leadership Team members	2 Board Members, and CEO	
Headteacher	2 Board Members, CEO,Chair of LGB and 2 LGB members	
All other leadership spine posts	Headteacher, Chair of LGB, CEO and LGB panel	
All other posts	Headteacher and LGB panel (or CEO and Trust Business Advisor / CFO if a central team post)	
DISCIPLINARY CASES AND DISMISSALS		
○ Disciplinary ○ Capability (professional competence) ○ Ill Health Capability ○ Redundancy. (The Board will have determined that there is a Redundancy situation) ○ Some other substantial situation		
For all disciplinary cases and dismissals the following delegation model shall apply:		
Posts	Delegated Authority	Appeal
Chief Executive	3 Board members	3 Board members
Trust Leadership Team members	2 Board members and CEO	3 Board members
Headteacher	2 Board Members, CEO, Chair of LGB	3 Board Members
All other posts	Headteacher and CEO or CEO's representative and LGB	LGB panel of 3

Signature of Letter of Appointments	Delegated Authority
CEO	Chair of Board
Trust Leadership Team posts	CEO
Headteacher	CEO
All other posts	CEO/Headteacher
Collective Agreements	The Sheffield South East Trust Board (Chair of Board to sign)
Teachers Pay – Threshold/UPS	Headteacher and LGBs

GRIEVANCE		
Posts	Delegated Authority	Appeal
Chief Executive	3 Board Members	Chair of Board and 2 Board Members
Trust Leadership Team members	CEO and 2 Board Members	3 Board Members
Headteacher	CEO and 2 Board Members	3 Board Members
All other posts	Headteacher and LGB panel	Chair of LGB and panel
OTHER HR FUNCTIONS		
Function	Delegated Authority	
Compromise agreements up to and including £10,000	CEO	
Compromise agreements in excess of £10,000	CEO to agree terms Chair of Finance Committee to sign	
Compromise agreements in excess of £50,000	Approval to be sought from the ESFA/HM Treasury	

Function	Delegated Authority
Acting up Payments/Additional Payments • CEO • Headteacher • Leadership spine posts • All other Academy staff	• The Sheffield South East Trust Board on recommendation of Finance Committee • The Sheffield South East Trust Board on recommendation of CEO • The Sheffield South East Trust Board on recommendation of CEO/ELT • Headteacher with the CEO
Function	Delegated Authority
Performance Management • CEO	• Chair of Board plus 1 other Board member

• TLT members • Headteacher • All other Academy posts	• CEO plus Chair of Board • CEO plus Chair of LGB • In accordance with the current policy
Staffing restructures	CEO + HT, or ELT or LGB in consultation
Re-grading/Re-designation/increase in hours at times other than at budget setting	CEO and CFO
Creation of permanent new Senior Leadership posts	The Sheffield South East Trust Board
Creation of permanent non senior leadership team posts.	CEO
Creation of temporary new posts of up to 1 year	CEO/Headteacher
Revisions to Pay and Conditions	The Sheffield South East Trust Board
Decision to make Redundancies	The Sheffield South East Trust Board on recommendation of CEO and CFO
Authorisation of redundancy/early retirement payments	CFO so long as redundancies were approved by Board
Determination of CEO's pay range	The Sheffield South East Trust Board on recommendation from Finance Committee
Determination of pay range for an individual with a salary in excess of £50,000	The Sheffield South East Trust Board on recommendation from Finance Committee
Determination of pay range for an individual with a salary less than £50,000	CEO
Determination of pay progression of the Chief Executive	The Sheffield South East Trust Board on recommendation of CEO Performance Management Committee
Determination of pay progression of Deputy/Assistant Headteachers within their pay grade	CEO reported to the Finance Committee and The Sheffield South East Trust Board on the basis of Performance Management
Determination of pay progression of trust central team and Headteachers within their pay grade	Chief Executive recommendation to the Finance Committee to be agreed by the Board on the basis of Performance Management
Determination of pay progression of teaching posts below Vice Headteacher within their pay grade (including Threshold)	Headteacher on agreement with CEO, reported to the Finance Committee on the basis of Performance Management
Administration of employment contracts, pay and conditions of services (with the exception of previous delegated authorities)	School Managers, and Headteacher, (with reference to the CEO as appropriate)

N.B – Any other delegated Authority not described above would need to be referred to the Sheffield South East Trust Board for a decision

The term 'Headteacher' will include Acting Headteacher

Remits, Roles and Responsibilities

a. Members

The ultimate responsibility for the governance of the trust belongs to the Members.

- a. The Members are accountable to the Secretary of State for effective governance of the Trust and the achievement of its objectives. Full details of Members remit and responsibilities are contained in the Articles of Association alongside which, reference should be made to the Master Funding Agreement.

The Members will meet at least annually or more frequently if circumstances require.

b. Board of Trustees

The Board of Trustees will have a minimum of three persons and no maximum, of which up to six Trustees can be appointed by the Members. The membership will be kept under review and will expand or change as the needs to the Trust require. The Trustees are responsible and accountable to the DfE for the performance and efficiency of all The Sheffield South East Trust and all of its academy schools.

The Board will always include a Chair, and the Chief Executive of the Trust:

- a. The Trustees shall each school year elect a chair and a vice-chair from among their number: employees are not eligible;
- b. The Chief Executive is also appointed by the Board of Trustees and is an employee of the Trust;
- c. The Chief Executive is responsible to the Board of Trustees for the effective management of the Trust and its constituent schools. A wide ranging set of responsibilities have been delegated to the Chief Executive, full details of which are contained in Annex A.

Full details of the remit of trustees are covered in the Articles of Association but in brief:

- Trustees will ordinarily serve for 4 years;
- The Board shall hold at least 3 meetings in any school year;
- All Academy Trustees will be expected to represent the interests of all academy schools as mandated in the 'Object' of the Academy and which is detailed in the Articles of Association. Trustees should not underestimate the commitment they need to make;
- Trustees are expected to play a full and active role in the governance of the trust;

c. CEO

The CEO's key responsibilities include:

- To work closely with the Members and Board of Trustees to provide outstanding strategic leadership for The Sheffield South East Trust ensuring continuing success and sustainability in its academies.
- To promote the strategic vision and philosophy of the Sheffield South East Trust.
- Ensure appropriate arrangements are in place to deliver high standards of education for all children
- To ensure compliance with all statutory regulations and policies
- To ensure the highest quality of financial probity.
- To be the identified Accounting Officer for the Trust

d. Accounting Officer

1. INTRODUCTION

This statement sets out the Trustees' policy on the management of finances within The Sheffield South East Trust. This policy will apply to all academies within the trust. It has been developed from, and should be read with reference to the following:

- 1.1. Relevant academy, company and charities law;
- 1.2. The Master Funding Agreement (MFA) between The Secretary of State and The Sheffield South East Trust;
- 1.3. The supplementary funding agreements for each academy;
- 1.4. The current Academies Financial Handbook.

2. DELEGATION STATEMENT

On 1st November 2016, The Sheffield South East Trust appointed Mrs Joanne Bradshaw as its Chief Executive. The Board of Trustees then formally delegated the day to day financial management of the budget and the responsibilities of the Accounting Officer to the Chief Executive of the Sheffield South East Trust.

3. RESPONSIBILITIES OF THE CHIEF EXECUTIVE IN THE ROLE OF ACCOUNTING OFFICER

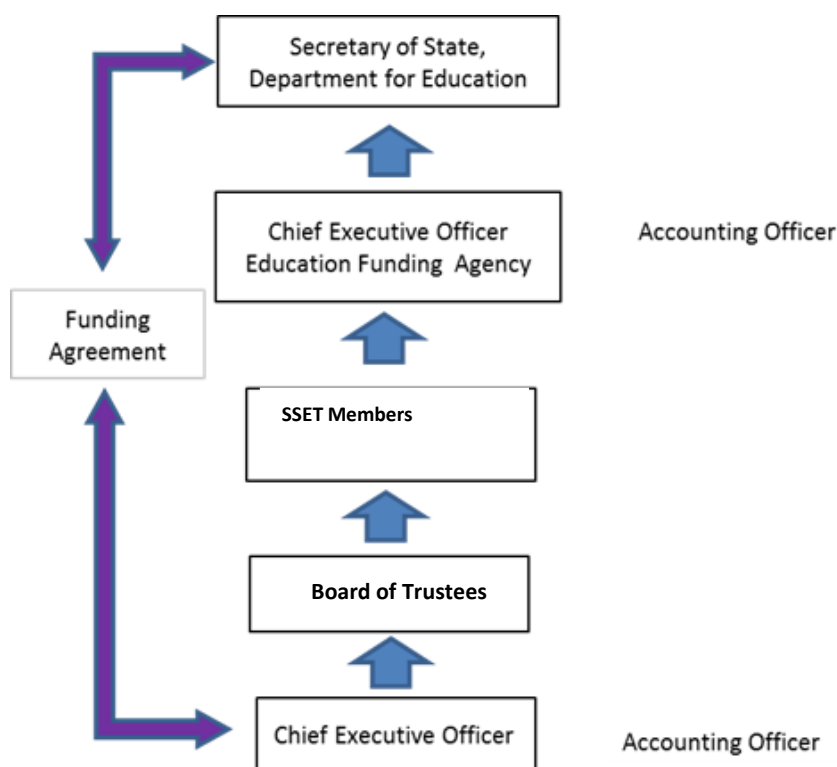
Full details of responsibilities are contained in the Academies Financial Handbook but can be summarised as follows:

- 3.1. The Accounting Officer (i.e. Chief Executive) has responsibility, under the board of the Multi Academy Trust's (MAT) guidance, for the overall organisation, management, and staffing and for its procedures in financial and other matters, including conduct and discipline.
- 3.2. The Accounting Officer is personally responsible to Parliament and to the Accounting Officer of the Education Funding Agreement ESFA for the resources under the Trust's control.

The essence of the role is a personal responsibility for the propriety and regularity of the public finances for which they are answerable; for the keeping of proper accounts; for prudent and economical administration; for the avoidance of waste and extravagance; for ensuring value for money; and for the efficient and effective use of all the resources in their charge.

Essentially, accounting officers must be able to assure Parliament and the public of high standards of probity in the management of public funds. The Accounting Officer must advise the board of trustees in writing if, at any time, in his or her opinion, any action or policy under consideration by the governing body is incompatible with the terms of the Handbook or Funding Agreement.

- 3.3. Similarly, the Accounting Officer must advise the board in writing if the board appears to be failing to act where required to do so by the terms and conditions of the Handbook or MFA.
- 3.4. Where, despite the advice of the Accounting Officer, the board of trustees is minded to proceed, the accounting officer must consider the reasons the board gives for its decision. If, after considering the reasons given by the board, the accounting officer still considers that the action proposed by the board is in breach of the Handbook or Funding Agreement, the accounting officer must advise in writing the EFA's accounting officer of the position.



- 3.5. The ESFA's accounting officer will send a letter annually to all Academy Trust Accounting Officers, with updates for new Directors of Finance, setting out their key responsibilities

and highlighting any changes from previous years.

3.6. The MAT accounting officer, under the guidance of the board, must ensure that there is appropriate oversight of financial transactions. In doing so, they must:

3.6.1.ensure that bank accounts, financial systems and financial records are operated by more than one person;

3.6.2.ensure that all the MAT's property is under the control of the trustees, and that measures are in place to prevent losses or misuse;

3.6.3.keep full and accurate accounting records; and

3.6.4.prepare accruals accounts, giving a true and fair view of the MAT's incoming resources and application of resources during the year, and the state of affairs at the year-end, in accordance with existing accounting standards.

The Accounting Officer is personally responsible to the board, and through it to the Secretary of State and Parliament, for:

- ensuring regularity and propriety;
- ensuring prudent and economical administration;
- avoiding waste and extravagance;
- securing value for money through the efficient, effective and economic use of available resources; and
- day to day organisation, staffing and management of the MAT.

3.7. The MAT's accounting officer is required to complete and sign a statement each year demonstrating how the MAT has secured value for money VFM which is incorporated into the Trust's annual governance statement in its accounts.

3.8. Accounting Officer's Statement

3.8.1.An accounting officer's statement on governance, regularity, propriety, compliance and value for money must be included in the MAT's annual report. This is a formal declaration by the MAT's accounting officer that they have met their personal responsibilities to Parliament for the resources under their control during the year.

3.8.2.It includes a responsibility to ensure that public money is spent for the purposes intended by Parliament (regularity) and a responsibility to ensure that appropriate standards of conduct, behaviour and corporate governance are maintained when applying the funds under their control (propriety), a responsibility to ensure value for money and for the efficient and effective use of all the resources in their charge.

3.8.3.The accounting officer also has a responsibility to advise the board of trustees and the ESFA of any instances of irregularity or impropriety, or non-compliance with the

terms of the MAT's master funding agreement. The format of the statement is included within the Accounts Direction which is issued annually.

4. RESPONSIBILITIES DELEGATED TO THE CHIEF FINANCIAL OFFICER IN THE DAY TO DAY FINANCIAL MANAGEMENT OF THE MULTI ACADEMY TRUST BUDGET

- 4.1. The CFO will prepare and submit an annual Budget Plan to the Finance, Audit and Risk Committee for submission to the Board of Trustees for approval during the Summer Term. If final funding notification from the ESFA is awaited, a draft budget will be prepared for approval, to be adjusted in the new financial year.
- 4.2. The CFO will ensure that the end of year accounts are prepared, audited and submitted to the ESFA in accordance with ESFA notified timescales.
- 4.3. The CFO will prepare budget reports for the Finance, Audit and Risk Committee to be submitted to the Board of Trustees for approval. The budget reports submitted to the Finance Committee will include in year balances and carry-forward figures broken down by school.
- 4.4. The CFO will monitor the expenditure under the control of the Board of Trustees, producing monthly management accounts to include a budget monitoring report, cash flow projections and balance sheet report. These will be shared with the Chair of Trustees and Finance Committee on a monthly basis.:
- 4.5. The CFO will prepare an annual 3 Year Strategic Financial Plan in line with Trust Development Plan and reflecting the financial and resource consequences for each year including options, where appropriate, for consideration by the Finance, Audit and Risk Committee;

5. DELEGATION

- 5.1. Academy trusts are independent institutions and the financial accountability system set out in the Academies Trust Handbook reflects this by providing trusts with increased autonomy over routine financial transactions. It is for the Trustees to determine how they wish to discharge and delegate this autonomy, however, there are certain delegated authorities which are stipulated in the Academy Finance Handbook:

- novel and / or contentious transactions;
- borrowing;
- gifts;
- write-offs and entering into liabilities;
- special payments;
- acquisition and disposal of fixed assets;

- leasing;
(see Finance and Accounting Policy for details)

5.2. The Chief Executive may exercise his/her delegated authority (see '3' & '4' above) through delegation to trust staff or through the procurement of external, expert support (subject to adherence to appropriate procurement and approval procedures), and subject to the following principles:

5.2.1. The Chief Executive will make recommendations to the Board of Trustees on an individual academy basis for a differentiated approach to delegation and that the decisions are reviewed annually. The Chief Executive and Board will be mindful of Ofsted categories and of the categorisation of schools by Learn Sheffield in determining differentiation in levels of delegation.

5.2.2. Academy Headteachers are responsible for the day to day management of their delegated academy budgets and submission of balanced budget plans to be submitted firstly to CEO and the Board of Trustees for approval;

5.2.3. Each academy will have appropriate financial arrangements in place to support the Academy Headteacher in the day to day management of school budget and assets as well for reporting to the Accounting Officer, CFO, Finance, Audit and Risk Committee or Board of Trustees as may be determined as the trust organisation develops;

5.2.4. That delegations are clearly specified and documented either via approved policies and procedures, contracts, SLAs or job descriptions/contracts;

These arrangements along with authorised signatories will be appended to the Finance and Accounting Policy.

The scheme will be kept under review and will be submitted to the Trustees annually for their approval;

e. Headteachers

Subject to responsibilities of the Board of Trustees and the policy statements of the Trust, the Headteacher shall be responsible to the Board of Trustees for:-

- implementing the agreed **policies and procedures** laid down by the Trustees - this includes the implementation of all statutory regulations;
- advising the Local Governing Bodies on **key issues and initiatives within the academy**
- the **leadership and management** of the Academy;
- the **admission of pupils**;
- the maintenance of **good order and discipline** by the pupils including their suspension and/or exclusion within the framework laid down by the Board of Trustees and

- all such additional functions as may be assigned under the job description or contract of employment.

Terms of Reference of Committees and Groups

a. Executive Leadership Team

Membership

The CEO and all Headteachers and Heads of School of SSET academies.

Purpose

1. To provide a forum for Headteachers to meet with the CEO and each other for mutual challenge and support.
2. For the CEO to give and receive information.
3. To provide a network for professional learning and development.
4. To discuss urgent operational issues.
5. To provide a forum to discuss and develop medium – long term strategy and to allow a deeper understanding of the Trust as a whole.
6. To agree a consistent approach to communication.
7. To develop and disseminate model policies.
8. To review academy budgets and finances on a regular basis.
9. To make spending and virements decisions within delegated limits.
10. To report to the Finance, Risk and Audit Committee and significant financial issues.
11. To review academy performance and progress data.
12. To challenge underperformance and to monitor programmes of intervention.
13. To identify effective practice and to ensure its dissemination.
14. To review the impact of policies on performance and progress.
15. To monitor likely inspection outcomes.

Meetings pattern

This team will meet regularly as determined by the group.

Minutes

All meetings to be minuted and these minutes to be circulated to all members.

b. Standards Committee/ Pay and Performance Committee

Membership

- a. CEO
- b. Minimum of 3x Trustees

In attendance:

Any other nominees by the CEO

Chairing

The committee will appoint the Chair and Vice-Chair of the committee. The Chair must be a Trustee but not the Chief Executive.

Meetings pattern

This committee will meet at least termly during term time. All meetings will be minuted by a Business Support Officer. At least 7 days' notice must be given when calling such a meeting.

Quorum

The quorum for committee meetings shall be at least 3 of which at least two should be trustees.

Roles and responsibilities

- To ensure a constant review of standards, progress and performance across all academies.
- To identify and disseminate best practice across the Trust.
- To put in place effective strategies to accelerate progress for all children in all year groups.
- To ensure high quality provision at all academies and that all academies are on an improvement trajectory in terms of OFSTED judgements.

The Committee will also undertake the following pay and performance related responsibilities in consultation with the Finance, Risk and Audit Committee, making recommendations where necessary:

- To ensure that the Trust meets its statutory requirements in respect of pay and performance;
- Each year, to review the salaries of all teaching staff up to and including the Headteacher, with effect from 1st September, in accordance with existing Trust arrangements and after taking the advice of the Chief Executive in relation to the meeting of performance objectives where appropriate;
- To agree the Pay Policy for the Trust, with the purpose of recommending adoption by the Board of Trustees.
- To agree the Performance Management for the Trust, with the purpose of recommending adoption by the Board of Trustees.
- To agree the value and award of Teaching & Learning Responsibility Points;
- To agree procedures for the appointment of academy staff, in line with current Trust policy;
- To ensure that every member of staff has a job description, which is reviewed annually, and that job descriptions are reviewed when vacancies occur;
- To monitor and review all staffing policies and procedures. These cover issues relating to pay; staffing adjustments; recruitment and selection (see above); equal opportunities; employee relations; conduct and capability; grievance; dismissal;
- To appoint a separate Appeals Committee from independent trustees if required, that committee is the Finance Committee.
- To ensure that an appropriate process is in place for managing the Performance Review of the Chief Executive;

- To ensure, via reports from the Chief Executive, that the Performance Management policy is implemented throughout the Trust, and that all staff are included in the system of performance review;
- To agree procedures for hearing staff grievances;
- To agree procedures for appeals against dismissal from Trust staff, in line with Trust policy;
- To report to the Board of Trustees annually and as required;

c. **Finance, Audit and Risk Committee**

Authority

The Finance, Audit and Risk Committee is a Committee of the Academy Trust Board and is authorised to investigate any activity within its terms of reference or specifically delegated to it by the Board.

The Audit and Risk Committee is authorised to:

- request any information it requires from any employee, external audit, internal audit, or other assurance provider.
- obtain outside legal or independent professional advice it considers necessary, normally in consultation with the Accounting Officer and/or the Trust Board.

Membership

The Board of Trustees shall determine and review annually at the first meeting of the academic year the establishment, terms of reference, constitution and membership of the Finance committee.

- the membership of the committee will comprise a minimum of 3 trustees.
- employees of the trust should not be audit and risk committee members, but the accounting officer and CFO should attend to provide information and participate in discussions.
- the chair of trustees should not be chair of the audit and risk committee.
- where the audit and risk committee is combined with another committee, employees should not participate as members when audit matters are discussed.
- until otherwise determined by the board of trustees, a quorum shall consist of 2 members of the committee.
- at least one member of the audit and risk committee should have recent or relevant accountancy, or audit assurance, experience.

Chairing

The committee will appoint the Chair and Vice-Chair of the committee. The Chair must be a Trustee but not the Chief Executive.

Attendance

Members of the committee have a right to attend committee meetings. Any other member of the Governing Body Board of Trustees may also attend and the committee may allow other persons

to attend.

Quorum

The quorum for committee meetings shall be at least 3 of which at least two should be trustees. The committee shall not meet without the Chief Executive, or a nominated substitute being present.

Meetings

The committee shall meet at least termly during term time. At least 7 days' notice must be given when calling such a meeting All meetings will be minuted by a Business Support Officer

Finance Roles and Responsibilities

To assist the decision making of the Board of Trustees, by enabling more detailed consideration to be given to the best means of fulfilling the Board of Trustees responsibility for ensuring sound management of the Trust's finances and resources, including proper planning, monitoring and probity.

The committee shall have absolute discretion in the following:

- a. Oversight of the day-to-day operation of the Trust Finances, with due regard for the requirements of the Academies Trust Handbook and the Funding agreement.
- b. To contribute to the formulation of the Trust's development plan, through the consideration of financial priorities and proposals, in consultation with the Chief Executive, and within the stated and agreed aims and objectives of the academy.
- c. In consultation with the CEO and CFO, recommend for approval, to the Board of Trustees, the first formal budget plan of the financial year for the Trust and its constituent academies.
- d. To establish and maintain a 3-year rolling, indicative oversight of the Trust's budget.
- e. To monitor income and expenditure of all funds and to report the financial situation to the Board of Trustees at their meetings.
- f. To prepare and review the detailed financial policy statements, including consideration of long-term planning and resourcing.
- g. To maintain a Charging and Remissions Policy for the Trust.
- h. To monitor the impact of spending decisions upon educational achievement in the school.
- i. To recommend for approval by the Board of Trustees the level of delegation to the Chief Executive for the discharge of the duties of Accounting officer and for the day-to-day financial management of the Trust.

- j. To oversee the preparation of the year-end accounts. Liaising with the CEO, CFO and external auditors.
- k. As appropriate, to liaise with and receive reports from other committees as may be established by the Trust and to make recommendations to those committees about the financial aspects of matters being considered by them.
- l. To report its deliberations to the Board of Trustees at each of its meetings.
- m. To review regularly the detail of the agreed Financial Policy and Procedures
- n. To receive reports on and monitor the Trust's buildings and estate
- o. To oversee and monitor the Trust's CIF bidding process
- p. Review the operation of the Trust's code of practice for Trustees and code of conduct for staff.
- q. Review annually, the Trust's Health & Safety Policy, ensuring it meets all requirements of relevant legislation.

Audit and Risk Roles and Responsibilities

To be responsible for providing assurances to the Board of Trustees that risks are being adequately identified and managed by:

- a. Maintaining oversight of the Trust's financial, governance, risk management and internal control systems.
- b. Reporting findings termly and annually to the Trust Board and the Accounting Officer, as a critical element of the Trust's annual reporting requirements

The outcome of the work of the committee will inform the governance statement that accompanies the Trust's annual accounts and, so far as is possible, provide assurance to the external auditors. The committee is authorised by the Board to investigate any activity within its terms of reference, and to seek any information it requires from staff.

The specific duties of the Committee are as follows:

External Audit

- Ensure that the Trust is independently audited by an approved registered auditor.
- Review the external auditors plan each year.
- Ensure there is co-ordination between internal audit / scrutiny and external audit and any other review bodies that are relevant.
- Review the annual report and accounts

- Review the auditor's findings (including management letter) and actions taken by the trust's SLT in response to those findings. Report and inform the Trustees of any significant issues.
- Present an overview of the accounts and committees conclusions to advise the board of trustees and members.
- Ensure that a copy of the auditor's letter of engagement is submitted to the ESFA with the annual accounts, management letter and internal audit summary.
- Advise the board on the effectiveness and resources of the external / internal auditors to provide a basis for the recommended reappointment, dismissal, retendering of the Trust's auditors as required.

Internal Scrutiny

- take delegated responsibility on behalf of the board of trustees for examining and reviewing all systems and methods of control both financial and otherwise including risk analysis and risk management; and for ensuring the Trust is complying with the overall requirements for internal scrutiny, as specified in the Academies Financial Handbook.
- conduct a regular review of the risk register, and overseeing a formal annual review.
- Agree an annual programme of internal scrutiny, which is objective and independent, covering systems, controls, transactions, and risks; to provide assurance to the board that its financial and non-financial controls and risk management procedures are operating effectively - to support the aims of the Trust and inform the statement of internal control and value for money statement.
- advise the trustees on the adequacy and effectiveness of the trust's systems of internal control, governance, and risk management processes,
- Direct and monitor internal audit reviews. Identifying the areas for review annually, on a risk-basis and with reference to the risk register.
- Ensure the outcome of internal audit is scrutinised, and to report findings, recommendations and management response to the trust board and Accounting Officer. When appropriate, advise the Trust board of material control issues, and advise of additional steps to be taken.

In addition, it was also agreed by the Board that the Finance, Audit & Risk Committee will also undertake the following pay and performance related responsibilities in consultation with the Standards, Pay & Performance Committee, making recommendations where necessary:

- To ensure that the Trust meets its statutory requirements in respect of pay and performance;
- Each year, to review the salaries of all teaching staff up to and including the Headteacher, with effect from 1st September, in accordance with existing Trust arrangements and after taking the advice of the Chief Executive in relation to the meeting of performance objectives where appropriate;
- To agree the Pay Policy for the Trust, with the purpose of recommending adoption by the Board of Trustees.
- To agree the Performance Management for the Trust, with the purpose of recommending adoption by the Board of Trustees.
- To agree the value and award of Teaching & Learning Responsibility Points;
- To agree procedures for the appointment of academy staff, in line with current Trust policy;

- To ensure that every member of staff has a job description, which is reviewed annually, and that job descriptions are reviewed when vacancies occur;
- To monitor and review all staffing policies and procedures. These cover issues relating to pay; staffing adjustments; recruitment and selection (see above); equal opportunities; employee relations; conduct and capability; grievance; dismissal;
- To appoint a separate Appeals Committee from independent trustees if required, that committee is the Finance Committee.
- To ensure that an appropriate process is in place for managing the Performance Review of the Chief Executive;
- To ensure, via reports from the Chief Executive, that the Performance Management policy is implemented throughout the Trust, and that all staff are included in the system of performance review;
- To agree procedures for hearing staff grievances;
- To agree procedures for appeals against dismissal from Trust staff, in line with Trust policy;
- To report to the Board of Trustees annually and as required;

d. Trust Leadership Team

Membership

Membership will consist of:

Chief Executive Officer

Chief Financial Officer

Trust Business Advisor

Trust Operations Advisor

Any external adviser commissioned to support the TLT

The Chief Executive will keep the membership of the group under review as the Trust develops.

Chairing

The meeting will be chaired by the Chief Executive

Pattern of Meetings

The team will meet frequently during term time at the direction of the Chief Executive.

Roles and responsibilities

To be responsible for the strategic management of the Trust including:

- Prioritisation and deployment of resources to ensure the highest quality of education in all of its Academies
- Financial management and planning
- Building and asset management
- Staffing and organisation, recruitment
- ICT Strategy and management
- =To ensure that all Trust policies remain relevant and up to date, and are fully and consistently deployed.

Risk Management

- Monitoring and maintenance of the Trust risk register
- Provide regular reports to Trustees and escalating risks as necessary

Strategic Growth and Development

- Commissioning and delivery of trust projects
- Commissioning of Project Management of academy conversions

Horizon Scanning

- To ensure the Trust remains up to date with existing and future national, regional and local developments as may impact on the Trust, including (not exclusively) government legislation, policies, economic and demographic factors, local government, academy developments.

Board of Trustees

Planning and preparatory work for the BoT in support of any strategic decisions.

e. Trustee Academy Advocate**Structure**

- Each academy will have a designated “Academy Advocate”
- The Academy Advocate will be a Trustee

Purpose

- To liaise with the Headteacher and LGB Chair about current initiatives and issues within the academy
- To ensure that individual academies and LGBs have a direct linkage with the Board
- To add knowledge and understanding of individual academies for strategic Board decisions
- To be a visible representative of the Trustees for all stakeholders in the academy

Records

All visits to individual academies by Academy Advocates will be recorded centrally by the Trust office.

f. Local Governing Bodies

All academies will have a Local Governing Body unless the Board of Trustees determine otherwise. The constitution of each LGB may vary, according to the performance of the individual academy and its capacity to improve.

The LGB will, have duties delegated to it by the Board of Trustees and it will be the responsibility of the Board of Trustees to ensure that the LGB is exercising these functions in line with the relevant duties. The LGB will have a role as determined by the Board of Trustees.

1. CONSTITUTIONAL FRAMEWORK

- The Trust is a charitable company limited by guarantee. It has entered into a Master Funding Agreement and a Supplemental Funding Agreement in relation to the Academy both entered into with the Secretary of State (together the “Funding Agreements”).
- The Trustees are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the Articles of the Trust;
- The Local Governing Body is a Committee of the Trustees established pursuant to the Articles of the Trust;
- Legal responsibility for the Academy lies with the Trustees. It is governed by the Trustees, who use advice and support from the Academy’s Local Governing Body, particularly (but not limited to) strategic planning and the specific matters delegated under these Terms of Reference;
- Subject to provisions of these Terms of Reference, the Companies Act 2006, the articles and to any directions given by special resolution of the Trustees, the business of the Academy shall be managed by the Local Governing Body who may exercise all the powers of the Trustee, other than matters concerning finance, staffing and site which are under the remit of the Trustees;
- The Trustees will assess the capacity of the LGB of its academies. They may then establish an Academy Improvement Board or a smaller, more strategic LGB until such times as the academy is judged to be good or better. Following that judgement, the LGB will be reconstituted in line with the Memorandum and Articles of Association of Sheffield South Trust Ltd.
- At any point after conversion the Trustees may deem it necessary to remove the Local Governing Body and impose an Academy Improvement Board.

2. RESPONSIBILITIES OF THE LOCAL GOVERNING BODY

The Trustees will, in consultation with the Local Governing Body

- set the aims and objectives of the Academy;
- determine the educational vision of the Academy, determine the Academy’s development plan;
- determine and implement of the admissions policy and arrangements for the Academy in accordance with admissions law and DfE codes of practice;
- ensure all LGB’s receive appropriate and relevant training;
- agree annual performance targets for all year groups in each Academy;
- agree a differentiated decision making framework for financial and other resources decisions;
- adopt and implement all statutory policies and SSET policies.

The Trustees delegate the day to day running of the Academy to the Local Governing Body and specifically the following duties:

- ensure that the strategic aims and objectives of the Trust are implemented and embedded

- maintenance of the Academy's estate in accordance with the guidelines established by the Trust;
- maintaining a fixed asset register;
- notifying the Trust of any changes to fixed assets used by the Academy;
- ensure that the systems and processes agreed by the Trustees are implemented to comply with statutory regulations and the Funding Agreements;
- establish and regularly monitor an academy risk register;
- monitoring the academy budget;
- ensure that effective arrangements are put in place in relation to performance of management of staff
- put in place effective arrangements for the engagement and involvement of parents in the decision making.

Each Local Governor shall act in the best interests of the Academy at all times.

The Local Governors must keep confidential all information of a confidential nature obtained by them relating to the Academy.

3. COMPOSITION OF LOCAL GOVERNING BODY

The Local Governing Body will need the skills and experience to drive school improvement. It is therefore important that Trustees carry out a skills audit of prospective governors.

- i) local governing bodies should be no bigger than necessary to secure the range of skills they need as smaller governing bodies are likely to be more cohesive and dynamic.
- ii) an important consideration in the appointment and election of new governors is that they have the skills, knowledge and experience to complement existing governors.
- iii) all local governors are subject to an enhanced DBS check.
- iv) steps will be taken to inform parents and staff elections so that the electorate understands the extent to which nominated candidates possess the skills required by the governing body.
- v) the local governing body will set out clearly in the published recruitment materials, the nature of the role, the training available, the governing bodies expectations of them and any skills or willingness to learn to help the governing body improve its effectiveness address any specific challenges it may be facing.

New local governors should evidence the skills and experience required by the governing body, their commitment to training and how they plan to contribute to the future work of the local governing body. Those local governors seeking re-election should explain contributions to the governing body.

- vi) the effectiveness of the local governing body will be reviewed on a regular basis.

The membership of the Local Governing Body shall be determined in accordance with the following provisions:

- The total membership of the LGB shall be 10 (not including the Headteacher).
- The membership shall comprise of:

- a) the Headteacher;
- b) 3 Parent Members;
- c) no more than 2 Employee Members, not including the Headteacher
- d) at least five other Members appointed by the Governing Body

Each LGB should have a named Chair and Vice-Chair and a Chair for each sub committee.

Each LGB should have two sub committees:

- Curriculum & Standards Committee
- Finance & Resources Committee

Within the Local Governing Body there must also be governors who are nominated to lead on the following positions:

- Special Educational Needs and Disability (SEND)
- Safeguarding
- Health & Safety

The Local Governing Body may continue to act notwithstanding a temporary vacancy in its composition.

4. RESIGNATION & REMOVAL

- A Local Governor may at any time resign his office by giving notice in writing to the Clerk to the Local Governing Body.
- A Local Governor shall cease to hold office if they are removed by the person or persons who appointed them. This provision does not apply in the case of the Parent or Staff Member.

The Trustees may terminate the appointment of any Governor whose presence or conduct is deemed by the Trustees not to be in the best interests of the Trust or the Academy.

- The Headteacher and any Staff Member shall automatically cease to hold office if he ceases to be associated with the Academy in the capacity in which he was appointed or elected.

5. PERSONS INELIGIBLE TO BE LOCAL GOVERNORS

- No person shall be qualified to be a Local Governor unless they are aged 18 or over at the date of his/her election or appointment.
- A Governor shall cease to hold office if:
 - a. they become incapable by reason of mental disorder, illness or injury of managing or administering his/her own affairs.
 - b. they are absent without the permission of the Governors from all their meetings held within a period of six months and the Governors resolve that this office be vacated.
 - c. they are disqualified from acting as a trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision);

- A person shall be disqualified from holding or continuing to hold office as a Governor;
 - a. if their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; they are the subject of a bankruptcy restrictions order or an interim order.
 - b. if they have 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 they were responsible or to which they were privy, or which they by their conduct contributed to or facilitated.
 - c. at any time when they are: - included in the list of teachers and workers with children or young persons whose employment is prohibited or restricted under section 1 of the Protection of Children Act 1999; or disqualified from working with children under section 35 of the Criminal Justice and Court Services Act 2000.
 - d. if they are a person in respect of whom a direction has been made under section 142 of the Education Act 2002.
 - e. where they have, 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 72 of the Charities Act 1993.
 - f. if they have not provided to the Chair of the Trustees a criminal record 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 the Chair 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.
 - g. where a person becomes disqualified from holding, or continuing to hold office as a Governor and they are, or are proposed, to become such a Governor, they shall upon becoming so disqualified give written notice of that fact to the Secretary.

6. TERM OF OFFICE

- Any Local Governor shall hold and vacate office in accordance with the terms of their appointment but (except in the case of the Principal) the length of their term of office shall not exceed four years.
- Governors retiring at the end of their term of office shall be eligible for re-appointment at the discretion of the Local Governing Body.

7. CONFLICTS OF INTEREST

- The income and property of the Academy must be applied solely towards the provision of the Objects as detailed in the Articles. The restrictions which apply to the Trustees with regard to having a Personal Financial Interest shall also apply to the Local Governors.

- Any Local Governor who has any duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts or may conflict with his duties as a Local Governor shall disclose that fact to the Local Governors as soon as he becomes aware of it. A Local Governor must absent himself from any discussions of the Local Governors in which it is possible that a conflict will arise between his duty to act solely in the interests of the Academy and any duty or personal interest (including but not limited to any Personal Financial Interest).

8. APPOINTMENT OF CHAIR AND VICE-CHAIR

- The Chair of the Local Governing Body will be elected by the Local Governing Body every year for a 1-year term.
- The Vice-Chair of the Local Governing Body will be elected by the Local Governing Body every year for a 1-year term

9. MEETINGS OF LOCAL THE GOVERNING BODY

- The Local Governing Body shall meet at least three times in every academic year, and shall hold such other meetings as may be necessary.
- The minute taking and circulation of agendas and papers will be arranged by the academy through the appointment of a Clerk.
- All meetings shall be convened by the Clerk to the Local Governing Body, who shall send to the Governors written notice of the meeting and a copy of the agenda at least seven clear days in advance of the meeting.
- A meeting of the Local Governing Body shall be called by the Clerk whenever requested by the Chair or at the request in writing by any three Governors. Where there are matters demanding urgent consideration, the Chair or, in his/she absence, the Vice-Chair may waive the need for seven days' notice of the meeting and substitute such notice as he/she thinks fit.
- The convening of a meeting and the proceedings conducted shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda.

10. QUORUM

- Meetings of the Local Governing Body shall be quorate if three or one-third of Members are present (whichever is greater).
- If the number of Governors assembled for a meeting of the Local Governing Body does not constitute a quorum, the meeting shall not be held. If in the course of a meeting of the Local Governing Body the number of Governors present ceases to constitute a quorum, the meeting shall be terminated forthwith.
- If for lack of a quorum a meeting cannot be held or, as the case may be, cannot continue, the Chair shall, if he/she thinks fit, determine the time and date at which a further meeting shall

be held and shall direct the Clerk to convene the meeting accordingly.

11. PROCEEDINGS OF MEETINGS

- Every question to be decided at a meeting of the Local Governing Body shall be determined by a majority of the votes of the Governors present and voting on the question. Every Governor shall have one vote. Where there is an equal division of votes the Chair of the meeting shall have a second or casting vote.
- A Governor may not vote by proxy.
- No resolution of the Governors may be rescinded or varied at a subsequent meeting unless consideration of the rescission or variation is a specific item of business on the agenda for that meeting.
- Any Governor who is also an employee of the Trust shall withdraw from that part of any meeting of the Local Governing Body at which his remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement are to be considered.
- A resolution in writing, signed by all the Governors (or all of the members of a committee of the Governors), shall be valid and effective as if it had been passed at a meeting of the Governors or (as the case may be) a committee of Governors duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the Governors (or the members of a committee, as the case may be).
- Any Governor shall be able to participate in meetings of the Governors by telephone or video conference provided that he has given reasonable notice to the Clerk and that the Governors have access to the appropriate equipment.

12. MINUTES AND PUBLICATION

- At every meeting of the Local Governing Body the minutes of the last meeting shall be taken as the first agenda item after any apologies, except in cases where the Governors present decide otherwise, and, if agreed to be accurate, shall be signed as a true record.
- The Clerk to the Local Governing Body shall ensure that a copy of the agenda for every meeting of the Governors, the draft minutes of every such meeting (if they have been approved by the Chair of that meeting), the signed minutes of every such meeting and any report, document or other paper considered at any such meeting are, as soon as is reasonably practicable, made available to the SSET central team.

13. RESPONSIBILITIES OF THE HEADTEACHER

Subject to responsibilities of the Local Governing Body and the policy statements of the Trust, the Headteacher shall be responsible to the Local Governing Body for:-

- implementing the agreed **policies and procedures** laid down by the Trustees and Local Governing Body this includes the implementation of all statutory regulations;
- advising the Local Governing Body on **strategic direction, forward planning and quality assurance including standards and finance**;
- the **leadership and management** of the Academy;

- the **admission of pupils**;
- the maintenance of **good order and discipline** by the pupils including their suspension and/or exclusion within the framework laid down by the Local Governing Body; and
- all such additional functions as may be assigned under the job description or contract of employment.

14. AMENDMENT to THESE TERMS OF REFERENCE

This document has been approved by the Trustees and shall be subject to review at the first meeting of the Trustees in each academic year and may be subject to amendment by them.

15. COPIES OF TERMS OF REFERENCE

A copy of this document, and of any rules, shall be given to every Governor and shall be available for inspection upon request by members of staff during normal office hours at the offices of the Academy and the Trust.

16. EFFECTIVE DATE

These Terms of Reference shall come into effect on 1 November 2016.

Appendix 1

The Role of the Safeguarding Trustee/Governor

Safeguarding

In September 2023 updated statutory guidance – “Keeping Children Safe in Education (KCSIE)” came into effect.

Safeguarding is an umbrella term that covers many more aspects than just child protection. There are statutory requirements for safeguarding which the trust/local governing bodies must comply with including:

- having clear policies, strategies and procedures to ensure the safeguarding and welfare of pupils including those relating to behaviour, bullying, health and safety, harassment and discrimination
- having a named Designated Safeguarding Lead (DSL) who is a member of the SLT
- having named governor for safeguarding
- ensuring the recruitment of staff and volunteers in line with safer recruitment guidance and legislation
- having procedures in place for dealing with allegations of abuse against members of staff or volunteers

The Trust Board

The statutory requirements for safeguarding which Trustees must comply with include:

- having an agreed, written child protection policy that is reviewed annually and shared with parents
- having a named designated safeguarding lead who is a member of the SLT
- having a named Trustee for safeguarding having child protection procedures in place ensuring that there is training at an appropriate level for staff recruiting staff and volunteers in line with safer recruitment guidance and legislation
- having procedures in place for dealing with allegations of abuse against members of staff or volunteers
- ensuring that a Single Central Record (a legal requirement in the recruitment and vetting process for all schools) is fully up to date.

It should also be noted that neither the Board nor the Safeguarding Trustee has a role in dealing with individual cases or a right to know case details. The role is more strategic and should focus on being aware of how much child protection work the academy is involved in to ensure that the trust’s statutory responsibilities are adequately resourced. To the end, the Safeguarding trustee must support the DSL by making sure that role is properly and adequately resourced.

The Safeguarding Trustee/Governor

The safeguarding trustee/governor has a key role in keeping a focus on safeguarding. He/she is responsible for ensuring that safeguarding matters are kept on the agenda at board meetings and that trustees are kept informed about new legislation and the effectiveness of academy practice.

The safeguarding trustee/governor should meet with DSLs on a regular basis to look at their workload and to discuss any emerging themes that might require resource. Developing a strong and supportive relationship with DSLs allows him to be honest about how well s/he is coping with the demands of the job. Regular meetings between the Safeguarding Governor and DSL should take place to facilitate this.

There is much focus on local procedures and therefore all safeguarding procedures must now take into account the Local Safeguarding Children Board (LSCB) procedures. The DSL and responsible trustee will need to ensure that they are familiar with the local procedures which will differ depending on the locality of each academy.

Finally, the Designated trustee/governor should check that staff and trustees/governors are appropriately training and keep their own child protection knowledge up to date.

Annex to Scheme of Delegation - Accountability Framework

1 Introduction

- 1.1 The need for a framework that provides clarity about the duties, roles and responsibilities of all partners is imperative for all organisations in order to secure effective systems of leadership, management and operation, to manage risk effectively and secure required outcomes.
- 1.2 The accountability framework needs to address:
 - 1.2.1 who in the organisation has the power to make decisions;
 - 1.2.2 the decisions individuals or groups are empowered to make;
 - 1.2.3 where and with whom consultation needs to take place before decisions are made; and
 - 1.2.4 where and with whom advice should be sought before decisions are made;
- 1.3 The framework also needs to clarify arrangements for monitoring and, where appropriate, intervention and how this will work in practice.

- 1.4 An overview of the accountabilities outlined in paragraph 1.2 and 1.3 is provided in the chart appended to this report.
- 1.5 The chart appended to this report sets out in diagrammatic form the ways in which the Sheffield South East Trust Trustees fulfil their responsibilities for leadership and management of the trust, the respective roles and responsibilities of the trust board and committees, the trust's chief executive officer (CEO), local governing bodies and academy headteachers. It is based on the requirements of the trust's Articles and Master Funding Agreement with the DfE.
- 1.6 A scheme of delegation showing the link between the Master Funding Agreement requirements and decision making responsibilities and delegations has previously been agreed and this accountability framework, therefore, forms an annex to it.
- 1.7 The accountability framework should support the 'objects' of the Sheffield South East Trust (the trust) as set out in the Articles of Association (the Articles). The trust's objects are:
 - a. to advance for the public benefit education in the United Kingdom, in particular but without prejudice to the generality of the foregoing, by
 - i) establishing, maintaining, carrying on, managing and developing schools offering a broad and balanced curriculum ("**the mainstream Academies**") or educational institutions which are principally concerned with providing full-time or part-time education for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless alternative provision is made for them ("**the alternative provision Academies**") or 16 to 19 Academies offering a curriculum appropriate to the needs of its students ("**the 16 to 19 Academies**") or schools specially organised to make special educational provision for pupils with Special Educational Needs ("**the Special Academies**");
 - ii) providing childcare facilities and adult training to develop the capacity and skills of parents-to-be and parents with children primarily but not exclusively under five in such a way that they are better able to identify and help meet the needs of children;
 - b. promoting in the areas in which the Academies are situated the physical, intellectual

and social development of primarily but not exclusively children under five especially those who are socially and economically disadvantaged;

- c. developing the capacity and skills of those inhabitants of the areas in which the Academies are situated who are socially and economically disadvantaged in such a way that they are better able to identify, and help meet, their needs and to participate more fully in society;
- d. relieving poverty among the inhabitants of the areas in which the Academies are situated;
- e. relieving unemployment in the areas in which the Academies are situated for the benefit of the public in such ways as may be thought fit, including assistance to find employment;
- f. advancing the health of the inhabitants of the areas in which the Academies are situated;
- g. to promote for the benefit of the inhabitants of the areas in which the Academies are situated the provision of facilities for recreation or other leisure time occupation of individuals who have need of such facilities by reason of their youth, age, infirmity or disablement, financial hardship or social and economic circumstances or for the public at large in the interests of social welfare and with the object of improving the condition of life of the said inhabitants.

2 Powers of delegation

- 2.1 The starting point for the accountability framework needs to be a shared understanding across the trust that, in accordance with the DfE and the trust's Articles and Master Funding Agreement (MFA), sole decision making power resides with the trust board acting on behalf of the trust in accordance with the founding vision and values.
- 2.2 The Sheffield South East Trust is a legal entity in its own right.
- 2.3 The trust and not the individual academies is the legal entity. As such, only the trust board on behalf of the trust and not local governing bodies has the legal authority to make decisions about:

- i) employment issues;
- ii) finance issues;
- iii) land ownership or leases;
- and iv) contracts

- 2.4 The trust is the admissions authority for all trust academies. Therefore, the trust board must determine and keep under review the admissions arrangements for all academies, ensuring that they are compliant with the national Admissions Code.
- 2.5 The presumption therefore is that all legal and strategic decision making authority lies with the trust. However, while the trust (via the trust board) holds this ultimate authority, the DfE and trust Articles and Master Funding Agreement make clear that the trust board has the power to delegate decision making as it deems appropriate to board committees, to the trust's CEO and to local governing bodies.
- 2.6 The sponsor appoints the inaugural members, who, in turn, appoint the Trustees who sit on the trust board. It therefore needs to be assumed that the trust board supports the founding vision and intent.
- 2.7 The accountability framework needs to support the intent to devolve and delegate decision making appropriately to the right point of operation. However, this delegation cannot be assumed. The framework must be approved and regularly reviewed by the board. Individual central staff within the trust and local governing bodies should not make decisions or take unilateral action outside of this framework unless this approval has been given. To do so could lead to legal challenge and significantly increases risk. By approving the accountability framework, the board, in effect, gives this permission.
- 2.8 Where delegated decisions are made by the trust's CEO or individual central staff members on her behalf, they should be recorded so that an audit trail of decisions taken, when and by whom, can be maintained. Local governing bodies should record decisions in the minutes of their meetings.

3 Financial delegation

- 3.1 The trust is fully accountable to the DfE and Education and Skills Funding Agency (ESFA) for all public funding that pays for the trust's activities. This includes the annual revenue budgets for all trust academies, any grants associated with the conversion of schools that become sponsored academies where the trust has been approved as the sponsor and any capital receipts associate with SSET academies.
- 3.2 The ESFA sends all annual revenue budgets for trust academies directly to the trust. Trust central staff members work with academy business managers and senior leaders to draft individual academy budgets. Given the trust's accountability, the bottom line budget for each academy should be approved by the trust board. Once this approval has been given, academy senior leaders and LGBs should be given delegated authority to manage the budget.
- 3.3 The trust board also needs to approve a schedule of financial delegation for each academy that identifies the maximum level of spend the local governing body/headteacher can authorise. This schedule should also clearly identify the authority for procurement and the procurement rules each academy should follow depending on the value of the contract.
- 3.4 In order to minimise risk and ensure the trust fulfils its accountability to the ESFA, even where academies have the delegated authority to make financial decisions, they should notify trust central staff members of their intentions and seek relevant advice.
- 3.5 At every meeting, the trust board, on behalf of the trust, should receive a report from the Finance Committee which provides regular updates on the trust's overall budget. While it would not be appropriate for the trust board to get involved in the minutiae of operational detail of individual academy budgets, by exception, the board should receive reports on significant deficits and surpluses in individual academy budgets and the implementation of investment or recovery plans to address these in particular in terms of the impact on school standards.
- 3.6 Similarly, the ESFA sends any capital monies on behalf of identified trust academies to the trust. The trust is directly accountable for these capital receipts and for

ensuring that they are used appropriately for the purposes identified. The trust board, on behalf of the trust, needs to have an overview of all capital expenditures provided in the regular reports from the Finance Committee. The CEO needs delegated authority for trust central staff to work with individual academies to ensure that this funding is spent appropriately to improve the learning environment. The trust also has a legal responsibility to ensure that all procurement activity fulfils legal requirements in recognition that this is public money.

4 Policy development

- 4.1 Apart from the responsibility for admissions arrangements, there is no restriction on the level of delegation other than any policies that have been agreed with the DfE as part of the Master Funding Agreement or funding agreement for individual schools, in particular for sponsored academies. However, due account must be taken to minimise financial and performance risk and ensure the board fulfils its legal responsibilities as employer and as a trust board. There is also a need to ensure robust safeguarding arrangements.
- 4.2 Given that the trust is responsible and accountable for the financial management of all trust academies and is the employer of all staff working in trust academies, it follows that human resources and finance policy approval should either remain at the centre or be subject to very specific delegations to local governing bodies.
- 4.3 With these exceptions, all other academy policies should be adopted by local governing bodies. However, in terms of managing risk and ensuring quality assurance, rather than piecemeal policy development by individual academies, 'model policies' are and will be developed by the Trust in consultation with academy headteachers working collectively through the Trust Executive Leadership Team (made up of the academy headteachers), written to a common format and sharing good practice.
- 4.4 In order to quality assure these model policies, the board could agree that the trust CEO and trust central staff members would both advise on policy development and be given the delegated authority to sign off the policy on behalf of the trust. This would be a quality assurance role and would not detract from the local governing body's responsibility to approve these policies.

- 4.5 As a general rule, the board would require local governing bodies to adopt these model policies unless there were particular circumstances pertaining to individual academies.

5 Consultation

- 5.1 The Trust Executive Leadership Team should be consulted on draft policies to be submitted to the board for approval. When considering the final draft, the Board should be informed about the response from these forums.
- 5.2 The Trust Executive Leadership Team and appropriate trust central staff members should be consulted on any draft model policies whose development has been commissioned externally.

6 Advice and information

- 6.1 While not wishing to undermine the delegated authority of academy senior leaders or local governing bodies' delegated decision making autonomy, trust central staff members need to be kept informed of key decisions that are being considered, in particular if they have implications for the academy's budget, staffing or performance. Advice also needs to be sought in particular about issues where the trust has a legal responsibility or which pertain to the academy's funding agreement.

7 Monitoring and intervention

- 7.1 The board, on behalf the trust, has ultimate responsibility and accountability for standards and performance in each trust academy, for finances across the trust and for the trust's legal responsibilities as employer.
- 7.2 In order to minimise risk, the Standards Committee should report to every board meeting to provide regular updates on standards and performance in individual academies so that, where appropriate and necessary, early intervention strategies can be put in place if difficulties start to emerge and standards start to slip.

- 7.3 The chart appended to the framework indicates where such reporting is required.

8 Conclusion

- 8.1 This accountability framework is intended to provide clarity and enable effective and efficient decision making. It is not intended to be a complex document or to itemise every decision that needs to be delegated. Rather, it should provide the framework for decision making and demonstrate how the trust is fulfilling its intent to delegate as much as possible to the point of operation while managing risk and its legal obligations effectively.
- 8.2 Pragmatically, as much operational decision making as possible should be formally delegated to Board sub-committees, the CEO and her team or local governing bodies so that the Board can focus on the bigger strategic picture.

Sheffield South East Trust Accountability Framework

Delegated decision making authority

NB for the purposes of the table below, “Trust CEO” means the CEO or one of the CEO’s nominated staff to which the CEO has delegated responsibility to; “LGBs” means the Local Governing Body or one of its Committees to which the LGB has delegated responsibility to; Executive Leadership Team and Headteacher” means the collective team of Headteachers or an Headteacher or one of the Headteacher’s nominated members of staff to which the Headteacher has delegated responsibility to.

Area	Ref	Task	Board decision	Committee decision	Trust CEO	LGBs	Executive Leadership Team (ELT)/ Headteacher	Notes
Strategic Plans A of A	1.1	SSET object, vision and values	•					Reviewed annually in consultation with the Headteachers’ Trust Leadership Team and LGBs
	1.2	SSET strategic plan including overall SSET targets and priorities	•					
	1.3	Individual school improvement and development plans			•			
Standards and	2.1	Agreeing individual academy targets			•			In discussion with ELT, Headteachers and Chairs of LGB.

pupil performance	2.2	Maintaining overview of pupil progress against targets				•	•	Reporting in-year progress against targets to the SSET central team regularly. Considered by Standards Committee and reported to Board by exception
	2.3	Agreeing intervention plans			•			In discussion with Headteachers and Chairs. Reported to Standards Committee.

Area	Ref	Task	Board decision	Committee decision	Trust CEO	LGBs	Executive Leadership Team (ELT)/ Headteacher	Notes
	2.4	Evaluate impact in terms of outcomes against targets for individual academies and Trust overall			•			
Curriculum and quality of provision	3.1	Ensure academy curriculum is broad and balanced and keep under review			•			LGB takes decision with advice from Headteacher. Consultation with SSET central staff
MFA	3.2	Ensure agreed curriculum is taught				•		LGB challenges and supports Headteacher. SSET central staff keeps overview about fitness for purpose and MFA compliance.
Statutory requirements	3.3	Fulfilling statutory requirements: RE; PE; PSHE; sex ed. Etc; Pupil Premium				•		Advised by Headteacher. SSET central staff keeps overview for statutory compliance.
	3.4	Implement curriculum					•	With advice from SSET central staff as appropriate
	3.5	Determine learning programmes for individual pupils					•	With advice from SSET central staff as appropriate

Area	Ref	Task	Board decision	Committee decision	Trust CEO	LGBs	Executive Leadership Team (ELT)/ Headteacher	Notes
	3.6	Homework policy				•		
	3.7	Monitor and evaluate curriculum policy and outcomes				•	•	As part of review of SDP – reported to SSET central staff and to Standards Committee
	3.8	Responsible for standards and quality of teaching					•	Challenged and supported by LGB. Reports to SSET central staff. Report to Standards Committee and Board by exception
	3.9	Changing length of school term or day		•				In consultation and on advice from Headteacher, LGB and SSET central staff. Approval given by Standards Committee
	3.10	Allocating training days			•			CEO determines number of annual training days in agreement with Standards Committee and allocates days with Headteachers
Collective worship Statutory requirement	4.1	Ensure legal requirements are met				•		Advised by Headteacher. Reported annually to Standards Committee.
Pupil welfare	5.1	Safeguarding policy	•					SSET central staff monitor for compliance. Annual report to Board.

	5.2	Individual academy behaviour policies				•		Advised by Headteacher. Monitored SSET central staff
--	-----	--	--	--	--	---	--	---

Area	Ref	Task	Board decision	Committee decision	Trust CEO	LGBs	Executive Leadership Team (ELT)/ Headteacher	Notes
MFA para 18c Statutory requirement as set out in regulations section 51A of Education Act 2002 MFA Designated teacher for LAC	5.3	Review pupil exclusions		•		•		LGBs to review Headteacher's decision on fixed term exclusions. SSET to establish appeals panel. CEO to monitor pupil exclusions across the Trust. Ad-hoc Board Committee to review Headteacher's decision on fixed term exclusions. Board to receive annual report on exclusions across Trust – considered in detail by Standards Committee.
	5.4	LAC policy and performance	•					Advised by Headteacher. SSET central staff monitor for compliance.
	5.5	Pupil Premium				•		LGB to receive annual report and approve expenditure of PP. SSET central staff advice about web site report. Standards Committee to receive annual report about PP impact and outcomes across the Trust.
	5.6	Sex education				•		LGB approved on advice from Headteacher and SSET central staff

Area	Ref	Task	Board decision	Committee decision	Trust CEO	LGBs	Executive Leadership Team (ELT)/ Headteacher	Notes
	5.7	School visits policy	•					Needs to be Board policy because of insurance and risk issues
Information for parents	6.1	School web site design					•	ELT sets house style and guidelines to be adhered to across all marketing materials but content to be developed and approved locally i.e. approval by Headteacher.
	6.2	School prospectus				•		LGB on advice from Headteacher – determines format and content within style guidelines.
	6.3	Ensure web site fulfils all statutory requirements				•	•	Headteacher accountable - monitored by SSET central staff
	6.4	Reporting to parents, parent meetings and parents visiting academy				•		CEO provides guidelines about format and frequency.

Area	Ref	Task	Board decision	Committee decision	Trust CEO	LGBs	Executive Leadership Team (ELT)/ Headteacher	Notes
Finance Statutory requirements for Pupil Premium Company Law and Audit requirements	8.1	Approve SSET annual budget	•					Advised by Chief Financial Officer and Finance Committee
	8.2	Approve bottom line budgets for individual academies	•	•				Approved by Finance Committee. Overview report to Board. No planned deficits are permitted without the express permission of the Trust. Academy budgets developed in consultation with school managers and Chief Financial Officer / CEO
	8.3	Approve schedule of financial delegation for academies	•					Schedule of financial delegation for LGBs needs to be approved annually. Could be differentiated in terms of previous financial management performance and, also, pupil outcomes
	8.4	Monitor ongoing financial management of budget		•	•	•		Advised by Headteacher. Finance Committee monitor and provide overview report to Board.

	8.5	Monitor academy budget surpluses and deficits		•	•			Reported to Chair of Trustees and Finance, Audit and Risk committee on a monthly basis. Annual report of overall performance. Monitored by Chief Financial Officer in consultation with Headteacher and CEO
--	-----	---	--	---	---	--	--	---

Area	Ref	Task	Board decision	Committee decision	Trust CEO	LGBs	Executive Leadership Team (ELT)/ Headteacher	Notes
	8.6	Approve investment and recovery plans		•				Finance Committee approve academy investment/recovery plans where the level of investment is over and above the allocated GAG. Monitored by Chief Financial Officer in consultation with Headteacher and Chair
	8.7	Investigate potential financial irregularities			•			In discussion with academy leaders and chairs. Reported to Finance, Audit and Risk Committee.
	8.8	Approve SSET procurement policy		•				Policy should determine maximum contract values for which particular procurement rules would apply. Should apply both to Trust centrally and to academies. Once policy is approved, LGBs give approval for tender contracts - could be delegated to Headteachers.
	8.9	Establish charging policy for use of SSET premises, including all academies	•					Board approves charging framework and principles. Within this framework, decisions for individual academies made by LGB advised by Headteacher

Area	Ref	Task	Board decision	Committee decision	Trust CEO	LGBs	Executive Leadership Team (ELT)/ Headteacher	Notes
	8.10	Appoint SSET auditors	•					SSET Board receives annual audit report. Implementation of audit recommendations monitored by Audit and Risk Committee.
	8.11	Ensure Pupil Premium is used to raise standards of disadvantaged pupils		•		•		SSET Board receives an annual report that provides an overview of PP spend and impact. LGBs should monitor for each academy. SSET central staff provides challenge and support to ensure PP is appropriately spent.
Land and buildings	9.1	Land sale/lease agreements	•					Authority to sign leases/land sales could be delegated to SSET CEO but would need evidence of Board agreement
	9.2	Decisions about capital bids to EFA and capital expenditure on academy buildings		•	•		•	SSET Board to receive reports on significant capital developments and annual report on SSET estate. Decisions taken in consultation with ELT.

Area	Ref	Task	Board decision	Committee decision	Trust CEO	LGBs	Executive Leadership Team (ELT)/ Headteacher	Notes
	9.3	Health and safety Policy	•					SSET Board to approve policy and review health and safety risk register annually. H&S operational decisions to be delegated to SSET central staff and/or Headteachers on advice from SSET central staff.
Employment issues MFA para 19a, 19b, 21, 22a and b	10.1	Approve key employment policies (pay policy; performance management; staff reduction and redundancy; disciplinary and capability procedures and sanctions; equalities; DDA; pensions; references)	•					SSET Board approves Trust wide policies. Authority to implement delegated to SSET central staff and academy leaders. LGBs given delegated responsibility for other policies.
Trade union relations	10.2	TU recognition and facilities time	•					Managed by academy Headteachers. Academies should seek advice from SSET central staff about structure proposals and inform about any changes to establishment.

Area	Ref	Task	Board decision	Committee decision	Trust CEO	LGBs	Executive Leadership Team (ELT)/ Headteacher	Notes
Staffing structures	10.3	Determining academy staff structures			•	•		Within the academy budget, approved by CEO
Staff appointments	10.4	Approve staff appointments			•	•		Board gives delegated authority to Trust CEO to approve appointment of academy headteachers. LGBs approve staffing appointments for each academy – give Headteacher delegated authority for appointments
Statutory policies	11.1	Draft and determine statutory policies	•		•			Policies developed by the Sheffield South East Trust central team for adoption by the Board
Non-Statutory policies	11.2	Draft and determine non statutory policies			•		•	Model policies developed by the ELT for adoption by the Board and LGBs