

# Viking Academy Trust



## Scheme of Delegation

made between

**THE VIKING ACADEMY TRUST**

as

**CHILTON PRIMARY SCHOOL**

**RAMSGATE ARTS PRIMARY SCHOOL**

**UPTON JUNIOR SCHOOL**

**Reviewed annually: Term 1**

**Last review date: Term 1 2022**

# Scheme of Delegation

## Terms of Reference

### Part 1

## Contents

Introduction .....	4
The Role of the Chair of the Board of Trustees .....	4
The Role of the Chief Executive Officer (CEO) .....	5
The Role of the Head of School (Ofsted graded Good or Outstanding schools) .....	5
The Role of the Head of School (Ofsted graded Requires Improvement, Special Measures or Schools Causing Concern) .....	5
The Role of the Chief Financial Officer (CFO) .....	5
The Role of the HR Director (HRD) .....	6
The Role of the Clerk to the Trust Board .....	6
The Role of the Chair of a Committee (inc. LAB) .....	7
The Role of the Clerk to Committees .....	7
The Board of Trustees .....	7
Quorum .....	7
Core Purpose of Board .....	7
Terms of Reference .....	7
Finance, Audit and Risk Committee (FAR) .....	9
Core Purpose of Committee .....	9
Terms of Reference .....	10
Audit Focus .....	11
Compliance, Whistleblowing and Fraud .....	11
Personnel and Appraisal Committee .....	13
Core Purpose of the Personnel and Appraisal Committee (PA) .....	13
Terms of Reference .....	14
Staffing .....	14
Disqualification .....	15
Hearings .....	15
Appeals Committee .....	15
Core Purpose of Appeals Committee .....	15
Terms of Reference .....	15

Disqualification .....	16
Delegation of Responsibility to Individuals .....	16
Terms of Reference.....	16
Disqualification .....	16
Local Advisory Bodies .....	16
Core Purpose of the Local Advisory Body (LAB) .....	16
Expectations of the LAB and its members.....	17
Constitution of the Local Advisory Bodies.....	18
Appointment and particular responsibilities of Local Governors .....	19
LAB CPD .....	20
Ceasing to be a Local Governor .....	20
Convening meetings of the Local Advisory Body .....	21
Proceedings at meetings of the Local Advisory Body.....	22
Conflicts of interest of Local Governors .....	23
Alterations .....	23
Indemnity .....	24
COMPOSITION OF LOCAL ADVISORY BODY (LAB) .....	25
Appendix 1 Duties of the Local Advisory Body (LAB).....	26

## Introduction

This document (the "Scheme of Delegation") has been agreed by the Board of Trustees of The Viking Multi Academy Trust ("the Trust") in exercise of the powers conferred on them by Articles 105 and 137 of the articles of association of the Trust ("the Articles"). The Scheme of Delegation should be read in conjunction with the Articles.

This document is the Scheme of Delegation (SoD) 'Part 1' and should be read in conjunction with the SoD 'Part 2'.

The Governance Handbook and all appendices give further information on role, responsibility of Viking Multi Academy Trust Governance.

The Trust currently operates Chilton Primary School, Ramsgate Arts Primary School and Upton Junior School (individually referred to as an "Academy" and collectively referred to as "the Academies"). This Scheme will also be applicable to any academy which joins the Trust in the future.

This Scheme of Delegation was executed as a Deed on 01 October 2016. It is reviewed annually.

## The Role of the Chair of the Board of Trustees

1. Ensure the strategic direction of Viking Multi Academy Trust whilst offering effective support and challenge at all levels of the organisation
2. To ensure the business of the Board of Trustees is conducted properly, in accordance with legal requirements
3. To ensure any decisions taken are done so in accordance with the scheme of delegation
4. To ensure meetings are run effectively, focusing on priorities and making the best use of time available
5. To ensure that all attendees have an equal opportunity to participate in discussion and decision-making
6. To establish and foster an effective relationship with the Chief Executive Officer (CEO) and Heads of School within the Multi Academy Trust based on trust and mutual respect for each other's roles.
7. The Chair has an important role in ensuring that the Trustees/LAB members act as a sounding board to the Chief Executive Officer and Heads of School within the Multi Academy Trust and provides strategic direction
8. Exercise emergency powers as and when required.

## **The Role of the Chief Executive Officer (CEO)**

**CEO 'official title' / Executive Headteacher (EHT) 'work title'**

1. Offer effective support and challenge to executive staff and school leaders (Trust Leadership Team (TLT) & wider senior leaders (DHT/AHTs across Trust)
2. Ensure the strategic direction of Viking Multi Academy Trust
3. To ensure the business of the Board of Trustees is conducted properly, in accordance with legal requirements
4. To ensure any decisions taken are done so in accordance with the scheme of delegation
5. To establish and foster an effective relationship with the Chair of the Board of Trustees, Chair of the Local Advisory Bodies (LABs) and Heads of School within the Multi Academy Trust based on trust and mutual respect for each other's roles.
6. To effectively deploy the staff and resources of the trust as required.

## **The Role of the Head of School (Ofsted graded Good or Outstanding schools)**

1. Offer effective support and challenge to school leaders
2. To raise the standards of attainment and progress within your school (academy)
3. To establish and foster an effective relationship with the EHT, Chair of the Local Advisory Body and other Heads of Schools within Viking based on trust and mutual respect for each other's roles
4. To ensure any decisions taken are done so in accordance with the scheme of delegation

## **The Role of the Head of School (Ofsted graded Requires Improvement, Special Measures or Schools Causing Concern)**

1. With the support of the EHT or other allocated mentor, to offer effective support and challenge to school leaders
2. With the support of the Executive Headteacher or other allocated mentor, to raise the standards of attainment and progress within your school (academy)
3. To establish and foster an effective relationship with the EHT, Chair of the Local Advisory Body and other Heads of Schools within Viking based on trust and mutual respect for each other's roles
4. To ensure any decisions taken are done so in accordance with the scheme of delegation

## **The Role of the Chief Financial Officer (CFO)**

1. Offer effective support and training to school finance teams

2. Offer effective support, advice and guidance to the Executive Headteacher, Board of Trustees, Local Advisory Bodies & other designated committees.
3. Manage the Academy budgets ensuring sound and effective financial management
4. To ensure business transactions of the Board of Trustees are conducted properly, in accordance with legal and delegation requirements
5. To establish and foster an effective relationship with the Chair of the Board of Trustees (& other committees), Executive Headteacher and Heads of School within the Multi Academy Trust based on trust and mutual respect for each other's roles
6. To ensure any decisions taken are done so in accordance with the scheme of delegation and in accordance with value for money principles
7. Fulfil duties outlined in CFO JD

## **The Role of the HR Director (HRD)**

1. 2. Offer effective support, advice and guidance to the Executive Headteacher, Board of Trustees and Local Advisory Bodies
3. Manage HR & other delegated duties across the Trust ensuring compliance and in accordance with EFSA guidelines
4. To ensure recruitment procedures are conducted properly, in accordance with legal and delegation requirements
5. To establish and foster an effective relationship with the Chair of the Board of Trustees, Executive Headteacher and Heads of School within the Multi Academy Trust based on trust and mutual respect for each other's roles
6. To ensure any decisions taken are done so in accordance with the scheme of delegation and in accordance with EFSA guidelines
7. Fulfil duties outlined in HRD JD

## **The Role of the Clerk to the Trust Board**

1. To work effectively with the Chair of the Board of Trustees, Executive Headteacher, Trustees and Heads of School within the Multi Academy Trust to support the Board
2. To advise the Trustees on Constitutional and Procedural Matters, duties and powers
3. To convene meetings of the Board of Trustees (& delegated governance groups eg LAB, FAR) and circulate agendas
4. To attend meetings of the Trustees (& delegated governance groups eg LAB, FAR) and ensure minutes are taken
5. Ensure swift distribution of minutes
6. To maintain a register of members of the Board of Trustees & all governance groups and report vacancies to the Trustees

7. To give and receive notices in accordance with relevant regulations
8. To perform such other functions as may be determined by the Trustees from time to time

### **The Role of the Chair of a Committee (inc. LAB)**

1. To ensure the business of the Committee is conducted properly, in accordance with legal requirements
2. To ensure meetings are run effectively, focusing on priorities and making the best use of time available.
3. To ensure that all members have an equal opportunity to participate in discussion and decision-making
4. To ensure any decisions taken are done so in accordance with the scheme of delegation

### **The Role of the Clerk to Committees**

1. To advise the Committee on procedural and legal matters
2. To convene meetings of the Committee and circulate agendas
3. To attend meetings of the Committee and ensure minutes are taken
4. Ensure swift distribution of minutes
5. To perform such other functions with respect to the Committee as may be determined by the Trustees from time to time.

### **The Board of Trustees**

#### **Quorum**

Quorum for Trustees Meetings: 3

Quorum for Sub Committee Meetings: 3

#### **Core Purpose of Board**

The Board of Trustees take a strategic role, act as a critical friend to the Trust Leadership Team and are accountable for decisions made. Trustees set aims and objectives and agree on decisions recommended by committees, provide strategic direction to support and challenge all levels within Viking Multi Academy Trust.

#### **Terms of Reference**

1. Provide an agreed strategic direction for the Viking Multi Academy Trust
2. Provide focus support and challenge for Viking Multi Academy Trust
3. Agree constitutional matters, including procedures where the Board of Trustees has discretion



4. Recruit new members as vacancies arise and to appoint new Trustees where appropriate
5. Hold at least six Trustees meetings a year
6. Appoint or remove the Chair and Vice Chair
7. Appoint or remove a Clerk to the Board of Trustees
8. Establish the committees of the Board of Trustees and their terms of reference (to be reviewed annually)
9. Appoint the Chair of any committee (if not delegated to the committee itself)
10. Appoint or remove a Clerk to each committee
11. Suspend a Trustee
12. Monitor the progress of work undertaken by committees and individuals
13. Consider recommendations made by committees with regard to the working of the Board of Trustees.
14. Decide which functions will be delegated to committees, groups and individuals
15. Receive reports from any individual or committee to whom a decision has been delegated and to consider whether any further action by the Trustees is necessary
16. Keep policies under review and to make revisions where appropriate
17. Review the delegation arrangements annually
18. The agenda for committee meetings shall be determined by the Chair of the Committee in consultation with other members of the Committee as appropriate and shall wherever possible be circulated in advance to persons attending the meeting.
19. Establish and keep under review Risk Management policy and procedures
20. Establish and keep under review Risk Registers and Business Continuity Plans
21. Establish and keep under review a Code of Practice for the Trustees
22. Establish and keep under review arrangements for Trustees visits to schools
23. Oversee arrangements for Trustees involvement in formulating and monitoring the Trust Improvement Plan (TIP)
24. To be available and respond to matters of particular difficulty, sensitivity or emergency and offer advice to the Executive Headteacher and Heads of School
25. Monitor and review school policies across Viking Multi Academy Trust
26. Ratify the first budget plan as presented by the Finance, Audit and Risk Committee (FAR)
27. As 'appropriate authority' of the Viking Academy Trust, ensure the Board is represented as necessary with external parties eg Ofsted, DfE

#### **Performance of the schools within the Trust**

1. To monitor assessment targets and data in line with Local and National standards, for EYFS, KS1 and KS2 for all schools within Viking Multi Academy Trust



2. To monitor progress made across all schools within Viking Multi Academy Trust ensuring they are in line with Local and National standards as well as monitoring identified groups e.g. Disadvantaged, PP, Gender, FSM, SEN etc.
3. Ensure that all pupils' SEN requirements are being met, through meeting with the Executive Headteacher, Heads of School and school leaders with SEN responsibility
4. To monitor and review the information about all school's within Viking Multi Academy Trust's performance and reporting to parents according to statutory requirements.
5. To monitor the pastoral care of all pupils across the Viking Multi Academy Trust and review policies related to pastoral care.

### **Leadership**

1. To set the strategic direction of the schools in the MAT with the Executive Headteacher
2. To ensure all school leadership teams within Viking Multi Academy Trust have appropriate and rigorous systems for assessment throughout the school.
3. To monitor and contribute to the Trust / School Improvement Plan in all schools within Viking Multi Academy Trust.
4. To monitor and contribute to all school SEFs across the Viking Multi Academy Trust
5. To ensure the schools are moving in the right direction in terms of long-term planning, SIP, OFSTED action plans etc.
6. To ensure the school leadership teams across Viking Multi Academy Trust have appropriate systems in place in order to move the school forward.
7. To ensure the Viking Multi Academy Trust has rigorous and robust systems for appraisal for the Trust Leadership Team.

### **Staff**

To review the Performance Appraisal Policy, its implementation and to receive an annual report on Performance Appraisal, including staff development, CPD and training.

**To ensure all schools across the Trust benefit from a good relationship with the community.**

## **Finance, Audit and Risk Committee (FAR)**

### **Quorum 3**

#### **Core Purpose of Committee**

The Finance, Audit and Risk Committee has been established to ensure the financial stability of individual academies and the Academy Trust as a whole.

The FAR Committee provides financial oversight for the organisation and is responsible for establishing sustainable staffing structures, budget setting, budget planning, financial reporting and the monitoring of internal controls and accountability policies. The committee is responsible for recommending financial policies, goals, and budgets that support the mission, values, and strategic goals of the organisation. The committee also reviews the organisation's financial performance against its goals and proposes major transactions and programs to the board.

The committee is to advise Viking Multi Academy Trust on the adequacy and effectiveness of the Academies systems of internal control and its arrangements for risk management, control and governance processes and securing economic, efficiency and effectiveness (value for money).

### Terms of Reference

1. To draft the first formal budget plan of the financial year in consultation with the Executive Headteacher and Chief Financial Officer (CFO)
2. Approve the first formal draft budget plan of the financial year and present to the Board of Trustees for ratification
3. To establish and maintain an up to date 3-year financial plan
4. To consider a budget position statement including virement decisions at least termly and to report significant anomalies from the anticipated position to the Trustees
5. To ensure that all schools operate within Financial Regulations and adhere to the AFH (Academies Financial Handbook)
6. To monitor expenditure of all voluntary funds kept on behalf of the Trustees
7. To annually review charges and remissions policies and expenses policies.
8. To make decisions in respect of service level agreements
9. To make decisions on expenditure following recommendations from other committees
10. To ensure, as far as is practical, that Health and Safety issues are appropriately prioritised
11. To determine whether sufficient funds are available for pay increments as recommended by the Executive Headteacher
12. In the light of the Executive Headteacher Performance Appraisal Committee recommendations, to determine whether sufficient funds are available for increments
13. To advise the Trustees on priorities for the maintenance and development of all school premises including use by outside users in line with Health and Safety Procedures
14. To oversee arrangements for repairs and maintenance
15. In consultation with the Executive Headteacher and CFO (Chief Financial Officer) oversee premises-related funding bids
16. To establish and keep under review a Premises Action Plan for each school
17. To establish and keep under review an Accessibility plan for each school

18. The agenda for FAR Committee meetings shall be determined by the Chair of the FAR Committee in consultation with other members of the Committee as appropriate and shall wherever possible be circulated in advance to persons attending the meeting and copied to the Chair of the Trusteeship.

### **Audit Focus**

The committee will:

1. Advise the Multi Academy Trust on the appointment, reappointment, dismissal and remuneration of the Internal Assurance/Responsible Officer service.
2. Agree the work program of the Internal Assurance/Responsible Officer.
3. Consider the reports of the Internal Assurance/Responsible Officer and, when appropriate, advise the Board/LAB of material control issues.
4. Monitor the implementation of agreed recommendations relating to Internal Assurance/Responsible Officer reports
5. Review the adequacy of Multi Academy Trust's Risk Management Policy and Procedures and regularly review the risk register
6. Monitor the implementation of Risk Management Action Plans.
7. Determine whether appropriate accounting methods are being applied.
8. Discuss with management and with the external auditor all proposed major changes in accounting policy, the presentation of all large risks or uncertainties and all estimates or judgements of management that may be material to financial reporting.
9. Question management and the external auditor regarding significant financial recording or presentation issues that were discussed during the accounting period and the manner of their resolution.
10. Examine the audited annual financial statements in conjunction with the management report of the external auditor, with particular reference to whether the statements:
  - Properly reflect the significant accounting policies selected;
  - Reflect estimates and other financial statement elements that are reasonable and consistent.
  - Adequately disclose all major transactions and issues;
  - Disclose all post year-end significant events, and are understandable, relevant, reliable and comparable.

### **Compliance, Whistleblowing and Fraud**

The committee will:

1. Review the adequacy and security of the company's arrangements for its employees and contractors to raise concerns, in confidence, about possible wrong doing in financial reporting or other matters. The committee will ensure that these arrangements allow proportionate and independent investigation of such matters and appropriate follow up action
2. Review the company's procedures for detecting fraud.

3. Review the company's systems and controls for the prevention of bribery and receive reports on non-compliance

### **Internal Audit**

The committee will:

1. Monitor and review the effectiveness of the company's internal audit function in the context of the company's overall risk management system.
2. Consider and approve the remit of the internal audit function.
3. Review and assess the annual internal audit plan.
4. Review reports addressed to the committee resulting from internal audit. Review and monitor management's responsiveness to the findings and recommendations of the internal audit

### **External Audit**

The Committee will:

1. Determine whether the performance of the external audit is satisfactory and effective and meets the requirements of all schools within Viking Multi Academy Trust.
2. Recommend to the Board of Trustees the retention or replacement of the external auditor and, if the Committee recommends replacement, evaluate candidates for the appointment;
3. Review all issues related to any change of external auditor and the planned steps for an orderly transition;
4. Reviewing the terms of the external auditor's engagement, and the appropriateness and reasonableness of the proposed audit fees;
5. Review the audit plan with the external auditor and management; determine whether management has provided full and open disclosure to the auditor's enquiries.
6. Review problems experienced by the external auditor in performing the audit, including any restriction imposed by management and all significant accounting issues on which there was a disagreement with management, and review the post-audit or management letters containing the recommendation of the external auditor and reviewing management's response and subsequent follow up to all identified weaknesses.
7. Meet with the external auditors in private at least once a year to ensure that there are no unresolved issues of concern and that full cooperation has been received.

### **Other responsibilities:**

The Committee will:

1. Review the Multi Academy Trust's arrangements in respect of whistleblowing and fraud and corruption and make recommendations as necessary.
2. Ensure that all allegations of fraud and irregularity are properly followed up and control weaknesses addressed, including being notified of all cases
3. Review the status of pending or threatened material litigation.

4. Ascertain whether the financial results and condition satisfy the criteria for lenders, material agreements, applicable laws and insurers.
5. Draw to the attention of the Trustees all financial matters of which the Committee has knowledge and which may materially affect the current or future position of all school within Viking Multi Academy Trust.
6. Determine whether systems are in place to identify and monitor major business risks. The Chair will report to the Board of Trustees as appropriate on the areas of major business risk.
7. Verify the establishment of policies and procedures for monitoring compliance with applicable laws and with the School's policies as to authorisation of expenditures, leases and contracts and otherwise, and ascertain their adequacy and levels of compliance.
8. Endeavour to identify to the Board of Trustees matters that expose Trustees to claims for which Trustees could be held personally liable.
9. Ascertain whether any Conflict of Interest guidelines are strictly complied with, and ensure that Trustees and Senior Leadership have submitted an annual return to confirm whether or not they have had any related party transactions with the school during the previous year.

### **Corporate Governance**

The Committee:

1. Will review the processes of Governance to enable that all schools across Viking Multi Academy Trust implement best practice as set out in appropriate guidance. The review will include a comprehensive review of governance once every three years, the results of which are to be discussed at the following meeting of the full Board of Trustees. The FAR Committee Chair may conduct the review him/herself or delegate responsibility to another Trustee.
2. The Committee will annually review and recommend changes to its terms of reference, following completion of each annual audit.
3. The agenda for Committee meetings shall be determined by the Chair of the Committee in consultation with other members of the Committee as appropriate and shall wherever possible be circulated in advance to persons attending the meeting and copied to the Chair of the Trusteeship.

### **Personnel and Appraisal Committee**

#### **Quorum 3**

#### **Core Purpose of the Personnel and Appraisal Committee (PA)**

The Personnel and Appraisal Committee closely monitor performance of employees and consider any recommendation for annual salary awards linked to performance.



The committee will deal with all matters concerning pay, discipline, capability, grievance or any other employee related issues.

### Terms of Reference

1. To make any determination to dismiss any member of staff (unless delegated to the Executive Headteacher)
2. To make any decisions under the Trustees personnel procedures e.g. disciplinary, grievance, capability
3. To make any decisions relating to any member of staff, under the Trustees personnel procedures (unless delegated to the Executive Headteacher)
4. To make any decisions under the Trustees personnel procedures e.g. disciplinary, grievance, capability where the Executive Headteacher is the subject of the action\*
5. To undertake hearings in respect to staffing issues, for example discipline, grievance, capability etc.
6. To undertake staff reductions as required through redundancy proceedings
7. To consider the cases of individuals through sickness, grievance, discipline or capability proceedings
8. To consider any formal request linked to pay, grading or pay awards
9. To operate the annual Performance Appraisal review process in line with the agreed policy\*
10. To consider the annual performance appraisal reviews of staff and make decisions upon salary progression as part of the annual review of salaries (non-staff trustees only)
11. The agenda for Committee meetings shall be determined by the Chair of the Committee in consultation with other members of the Committee as appropriate and shall wherever possible be circulated in advance to persons attending the meeting and copied to the Chair of the Trusteeship.

### Staffing

1. To draft and keep under review the staffing structure in consultation with the Executive Headteacher and the Personnel and Appraisal Committee
2. To establish a Salary Policy for all categories of staff and to be responsible for its administration and review
3. To oversee the appointment procedure for all staff
4. To oversee the process and collation of financial information leading to staff reductions and present this information to the Board of Trustees to make decisions linked to reduction in staffing compliment
5. To keep under review staff work/life balance, working conditions and well-being, including the monitoring of absence

\* The Executive Headteacher Performance Review Group could be formed from this committee, but its members should have received the appropriate training

### Disqualification

Any relevant person employed to work at the school other than as the Executive Headteacher, when the subject for consideration is the pay or performance review of any person employed to work at the school.

### Hearings

Where staff hearings or decisions are required which may result in an appeal, the committee **MUST** be made up of no more than 3 trustees /governors who are not members of staff.

## Appeals Committee

### Quorum 3

### Core Purpose of Appeals Committee

The Appeals Committee offer a channel of appeal for employees whose case has been considered through the Personnel and Appraisal Committee, and where the employee has exercised a right of appeal.

### Terms of Reference

1. To make any determination to dismiss any member of staff (unless delegated to the Executive Headteacher)
2. To make any decisions under the Trustees personnel procedures e.g. disciplinary, grievance, capability where the Executive Headteacher is the subject of the action\*
3. To make any determination or decision under the Trustees General Complaints Procedure for Parents and others when Local Advisory Body cannot reach agreement
4. To make any determination or decision under the Trustees Curriculum Complaints Procedure, in respect of National Curriculum disapplication's, and the operation of the Trustees charging policy when Local Advisory Body cannot reach agreement
5. To consider any appeal against selection for redundancy\*
6. To consider any appeal against a decision on pay grading or pay awards
7. The agenda for Committee meetings shall be determined by the Chair of the Committee in consultation with other members of the Committee as appropriate and shall wherever possible be circulated in advance to persons attending the meeting and copied to the Chair of the Trusteeship.

\*cannot be delegated to an individual



## Disqualification

Employees of the Trust.

The appeals committee must not have had prior involvement or knowledge of the case. The appeals committee should consist of the same number of members as which first heard the hearing.

## Delegation of Responsibility to Individuals

Any individual to whom responsibility has been delegated is expected to work within the following terms of reference.

### Terms of Reference

1. To liaise with the appropriate member(s) of staff
2. To visit the schools with the purpose of gathering information concerning their area of responsibility and to increase their knowledge of the Schools
3. To regularly report to the Trustees or appropriate committee as Trustees deem most appropriate, on developments and progress within their area of responsibility
4. To raise the profile of the area of responsibility when related matters are considered by the Trustees
5. To attend training as appropriate

## Disqualification

The following functions CANNOT be delegated to an individual:

Functions relating to:

- The alteration, closure or change of category of schools
- The ratification of the first formal budget plan of the financial year
- School discipline policies
- Exclusions of pupils (except in an emergency when the chair has the power to exercise these functions)
- Admissions

## Local Advisory Bodies

### Quorum 3

### Core Purpose of the Local Advisory Body (LAB)

The role of the Local Advisory Body (LAB) is to champion the Viking Academy Trust's ethos and mission, hold to account and support the Head of School and to monitor the Academy's key performance indicators. The Local Advisory Body (LAB) will play a crucial role in both supporting and challenging the academy through their role as critical friend to the senior leadership team.

LAB's that are able to fulfil this role are a vital component in demonstrating the effective leadership of the academy and through their work, governors must know if all the pupils at the academy are making progress at least at the rate that is expected of them. The LAB will be supported and developed by the Trust Board to ensure that governance is judged to be at least good by Ofsted.

This is because we know that where governance is strong, standards of attainment are likely to be higher because pupils are well known and supported to be their best, the quality of teaching is a constant focus of attention, and the leadership of the academy is held to account for the performance and well-being of the children at the academy.

Broadly, the role of the LAB is to provide focused governance for an academy at a local level, subject to the provisions of the Companies Act 2006, the Articles, the strategic plan and policies of the Trustees of the Trust, and any directions given and rules and regulations set by the Trustees.

The Viking Multi Academy Trust has established Local Advisory Bodies (LABs) with delegated powers agreed within the Scheme of Delegation Terms of Reference Part 2 and ToR 'Duties' listed in Appendix 1. All decisions made therefore must be in line with those delegated powers in the Part 2 and listed in Appendix 1.

The Local Advisory Body is constituted in accordance with the requirements set out by the Trust.

### Expectations of the LAB and its members

- The LAB will act at all times within the guidelines set down by the Board of Trustees.
- The LAB, with the VAT Board, sets the strategic direction of the academy and has a central and significant role in its leadership.
- The chair plays a significant role within the LAB and, in providing a lead to other members, is a critical factor in its overall effectiveness.
- LAB members hold a shared vision for the academy which is clear, understood and well communicated to staff, parents/carers and pupils and also reflects the fundamental values and objectives of VAT.
- LAB members have a clear understanding of the strengths and strategic priorities for the academy and ensure an appropriate plan is in place and implemented effectively.
- LAB members engage effectively with parents/carers, pupils and staff and are well informed about their views and use this to inform strategic priorities for development planning.
- LAB members ensure that all statutory requirements and responsibilities are met and that well developed procedures are in place to ensure the health, safety and well-being of pupils, staff and visitors.
- LAB members are confident in providing high levels of professional challenge to hold the Head of School to account.

- The LAB is successfully focused on raising standards and promoting the personal development and well-being of all learners. LAB members ensure that academy targets are both achievable and sufficiently challenging to lead to sustainable improvement.
- The LAB understands the academy's performance data and has an accurate overview of how well all pupils are achieving in relation to their potential and in relation to other schools, as well as how different groups of pupils within the academy are performing.
- The LAB has a good understanding of the quality of provision within the academy and how its performance compares locally and nationally.
- LAB members have a good understanding of the barriers to learning, including attendance and behaviour issues, and what the academy is doing to overcome these.
- LAB members are fully and systematically involved in the evaluation process, keeping the work of the academy under review and acting upon their findings.
- LAB members must ensure that the academy self-evaluation document is updated at least annually and that the academy improvement plan accurately reflects improvement priorities. (VAT updates SEF & SIP termly)
- The LAB adopts a rigorous approach to the self-review of its own skills and performance. This includes a plan for improvement and the commitment as individuals and as a group to improvement.
- Works with the VAT Board to manage the budget delegated by the trust to ensure efficient value for money. Issues that arise and requiring further detailed discussion, for example an increase in pupil numbers that needed building project hence capital expenditure, will be referred to the chair of the Trust FAR Committee (Finance, Audit & risk) in line with the scheme of delegation, to determine whether the matter is referred to the relevant Trust sub-committee.
- The LAB may operate sub-committees, made up of members of the Local Advisory Body. The requirement of LAB sub-committees will be reviewed annually.
- The trust will seek to ensure high quality of governance so that the LAB is able to carry out its responsibilities as above. This may include 'supporting' a LAB where there are serious and growing concerns. This will include reviewing governance in terms of both skills and effectiveness and adding to capacity through the appointment of new governors.
- If the academy is deemed to be at risk of failing its pupils, then as part of its responsibility to take action, the trust may exercise the right to reconstitute the LAB and appoint the majority of its members to ensure that the apparent weaknesses can be effectively addressed. This may include replacing the governing body with an interim executive board.

### Constitution of the Local Advisory Bodies

- I. The number of people who shall sit on each Local Advisory Body shall be a maximum of 10, not including the Head of School and Deputy Head who will attend all LAB meetings.

- II. The Trustees shall appoint to each Local Advisory Body at least one elected parent or guardian of a pupil at the Academy (appointment process outlined below). Parent membership should not make up more than half of the body.
- III. Each Local Advisory Body shall have a Chairperson (appointment process outlined below).
- IV. The length of service of all Local Governors shall be four years.
- V. Where the Local Governor was a governor of the predecessor school immediately prior to the opening of the Academy, their first term of office shall be deemed to have commenced on the date on which they are appointed as a Local Governor.
- VI. Subject to remaining eligible to be a Local Governor, any Local Governor retiring may be reappointed or re-elected.
- VII. Every person wishing to become a Local Governor will be required to sign a declaration of acceptance and of willingness to act as a Local Governor and uphold the object of the Trust, in the form prescribed by the Trustees from time to time, and shall make disclosures for the purposes of a check by the Disclosure and Barring Service.
- VIII. No person shall be qualified to serve on the Local Advisory Body unless they are aged 18 or over at the date of their election or appointment. No current pupil or student of the Trust shall be entitled to serve on the Local Advisory Board.
- IX. Trustees are free to attend any meeting of the Local Advisory Body.

### Appointment and particular responsibilities of Local Governors

#### Chair

- The Chair shall be appointed by the members of the Local Advisory Body. This decision is to be ratified by the Board of Trustees.
- The Trustees shall be entitled to remove any member of the Local Advisory Body from office at any time. Advisors will automatically cease to hold office if they are employed by the Trust, whether or not at an Academy unless voted as 'staff member'
- The Chair shall serve in such capacity for one year, but shall be eligible for reappointment at the end of that term.
- The responsibilities of the Chair include the following:
  - a) to chair meetings of the Local Advisory Body;
  - b) to follow the set agenda for Local Advisory Body monitoring meetings;
  - c) to report to the Trustees following any Local Advisory Body meeting (usually as an agenda item at the Trust Board meeting); and
  - d) to provide a direct link between the Local Advisory Body and the Trustees of the Multi Academy Trust.

## Parent Local Governor

Parent Local Governors for each Local Advisory Body shall be elected in accordance with the process set out below:

- a) When a vacancy arises, the Local Advisory Body will write to all parents of pupils at the Academy seeking nominees for the vacancy. Nominees will be asked to provide a short statement about why they are interested in being a Parent Local Advisor and their background and experience that makes them suitable for the role.
- b) In the event that the number of nominees equals or is less than the number of vacancies on the Local Advisory Body, the nominees shall be deemed elected.
- c) If the number of nominees is less than the number of vacancies on the Local Advisory Body, the Trustees may appoint suitable persons to fill any vacancy.
- d) If there are more nominees than places available, the Local Advisory Body will write to all parents of pupils at the Academy asking them to vote for their preferred candidate.

A Parent Local Governor should be a parent of a registered pupil at the relevant Academy or where this is not reasonably practical, a person who is the parent of a child of compulsory school age.

## LAB CPD

VAT is fully committed to the development of effective governance through LABs and will provide training to assist governors in meeting the expectations below. The Trust subscribes to membership of the National Governance Association as a trusted source of information and regular updates, and Learning Link for e-learning. Modules from the Learning Link form part of the Induction process.

In addition and where applicable, additional governors will be sought to add to the expertise of the LAB of any particular academy.

## Ceasing to be a Local Governor

The office of a Local Advisor shall be vacated if:

- a) any event or circumstance occurs which would disqualify them from the office of Chair of the Trust under the Articles were they to hold such office;
- b) They have, without the consent of the Local Advisory Body, failed to attend three consecutive Local Advisory Body meetings;
- c) they resign from office by written notice to the Local Advisory Body;
- d) They become incapable by reason of illness or injury of managing or administering their own affairs.

## Clerk to the Local Advisory Body



The Clerk to the Trust is responsible for the administration side of the LAB in liaison with the Chair of the LAB. The Clerk will attend the termly LAB meetings of the Trust, but only 'clerk' for the sub-committees at the bequest of the Chair if agreed by the Trust Board. If the Clerk is not required at a sub-committee meeting the Chair of the Committee must ensure agenda/minutes are recorded following VAT expectations.

The responsibilities / functions of the Clerk to the Local Advisory Body are as follows:

- (a) convene meetings of the Local Advisory Body including sending notices and papers of meetings;
- (b) Ensure the minutes of the LAB meetings are produced and signed at the same or next subsequent meeting by the person acting as Chair thereof. Copies of the minutes of all meetings should be provided to the Trustees as soon as reasonably practicable after those minutes are approved (expectation: one week);
- (c) maintain a register of 'Local Governors' of the Local Advisory Body and report any vacancies to the Chair of the LAB;
- (d) maintain a register of Local Governors' attendance at meetings and report on non-attendance to the Chair of the LAB;
- (e) report to the Local Advisory Body as required on the discharge of the Clerk's functions; and
- (f) perform such other functions as shall be determined by the Local Advisory Body from time to time.

Attendance at each Local Advisory Body meeting, issues discussed and recommendations shall be recorded. The written record shall be forwarded by the Clerk, to the Trustees in sufficient time for consideration for its inclusion in the agenda and papers of the next meeting of the Trustees. This is to provide information to the Board. (Sharepoint 365 is the platform used by VAT to share documents).

### **Convening meetings of the Local Advisory Body**

The Local Advisory Body shall meet at least six times in every school year and shall preferably have meetings in each school term.

The Clerk to the Local Advisory Body shall give written notice of each meeting and circulate the agenda and any reports or other papers to be considered at the meeting at least seven clear days in advance of each meeting. However, where the Chair determines there are matters demanding urgent consideration, it shall be sufficient if the written\* notice of the meeting states that fact and the notice, copy of the agenda and other papers are given within such shorter period as the Chair directs. (\*email)

The Local Advisors may invite persons who are not Local Advisors (including, but not limited to, a member of a committee, any employee, any pupil, any professional adviser and any experts of any kind) to attend the whole or part of any meeting for purposes connected with such a meeting

The convening of a meeting and the proceedings conducted thereat shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda thereof.

## **Notices**

Any notice to be given to or by any person pursuant to this Scheme (other than a notice calling a meeting of the Local Advisory Body) shall be in writing or shall be given using electronic communications to an address for the time being notified for that purpose to the person giving the notice. In this Scheme, "Address" in relation to electronic communications, includes a number or address used for the purposes of such communications.

A notice may be given by the Local Advisory Body to its advisors either personally or by sending it by post in a prepaid envelope addressed to the member at their registered address or by leaving it at that address or by giving it using electronic communications to an address for the time being notified to the Local Advisory Body by the member. A member whose registered address is not within the United Kingdom and who gives to the Local Advisory Body an address within the United Kingdom at which notices may be given to him, or an address to which notices may be sent using electronic communications, shall be entitled to have notices given to him at that address, but otherwise no such advisor shall be entitled to receive any notice from the Local Advisory Body.

A member of the Local Advisory Body present, at any meeting of the Local Advisory Body shall be deemed to have received notice of the meeting and, where necessary, of the purposes for which it was called.

Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. Proof that a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators shall be conclusive evidence that the notice was given. A notice shall be deemed to be given at the expiration of 48 hours after the envelope containing it was posted or, in the case of a notice contained in an electronic communication, at the expiration of 48 hours after the time it was sent.

## **Proceedings at meetings of the Local Advisory Body**

The proceedings of the Local Advisory Body shall not be invalidated by:

- a) any vacancy on the Local Advisory Body; or
- b) any defect in the election, appointment or nomination of any person serving on the Local Advisory Body.



The Local Advisory Board shall ensure that a copy of:

- a) the agenda for every meeting of the Local Advisory Board
- b) the signed minutes of every such meeting; and
- c) any report, document or other paper considered at any such meeting,

are, as soon as is reasonably practicable, made available at the Academy to persons wishing to inspect them.

There may be excluded from any item required to be made available any material relating to:

- a) a named teacher or other person employed, or proposed to be employed, at the Academy;
- b) a named pupil at, or candidate for admission to, the Academy; and any matter which, by reason of its nature, the Local Advisory Body is satisfied should remain confidential.

### **Conflicts of interest of Local Governors**

Local Governors shall complete a register of their business interests, which shall be reviewed annually.

Any Local Governor who has or can have any direct or indirect duty or personal interest that conflicts or may conflict with their duties as a Local Governor shall:

- a) disclose that fact to the Local Advisory Body as soon as they become aware of it.
- b) A Local Governor must absent themselves from any discussions of the Local Advisory Body in which it is possible that a conflict will arise between their duty to act solely in the interests of the Academy and such duty or personal interest;
- c) withdraw from any meeting for that item unless expressly invited to remain in order to provide information;

### **Alterations**

This Scheme may be altered, added to or repealed by a majority resolution of the Trustees of the Trust.

No alteration of the Articles and no such direction shall invalidate any prior act of the Local Advisory Body which would have been valid if that alteration had not been made or that direction had not been given.

### **Circulation list**

This constitution and these terms of reference shall be circulated to Trustees of the Trust, all Local Governors, the Clerk to the Trust and others at the discretion of the Chair of the Trust.

### **Annual Review and termination**

This Scheme is reviewed and agreed annually by a resolution of the Trustees of the Viking Academy Trust.

This Scheme may be terminated by the Trustees at any time by giving notice in writing to the Local Advisory Body.

The Trustees will have the absolute discretion to review this Scheme at least on an annual basis and to alter any provisions of it.

### **Indemnity**

Subject to the provisions of the Companies Act 2006, every member of the Local Advisory Body or other officer or auditor of the Trust acting in relation to the Academy shall be indemnified out of the assets of the Trust against any liability incurred by them in that capacity in defending any proceedings, whether civil or criminal, in which judgment is given in favour or in which they are acquitted or in connection with any application in which relief is granted to them by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Trust.

## COMPOSITION OF LOCAL ADVISORY BODY (LAB)

Type of member of LAB	Number	Term of office	How they are elected
Trustee	No more than one third of committee	Ex Officio	Has the right to attend. Appointed by the appointments panel.
Head of School	1	Ex Officio	N/A - by appointment as HoS
Co-opted Governor including chair and vice chair	Up to 7	4 years*	Appointments panel Trustees agree LAB needs, LAB Chair recruits. Trustees ratify appointment
Staff Governor: <i>Minimum of:</i> <i>1 x Teaching staff Gov</i> <i>1 x Non-Teaching Gov</i>	No more than one third of committee	4 years*	Staff election - secret ballot to be organised by the relevant Academy
Parent Governor	To not exceed half the committee	4 years	Parent election - secret ballot to be organised by the relevant Academy
Clerk to the LAB	Non-voting	N/A	N/A - appointed by Appointments Panel
Deputy/Assistant Head of School	In attendance		N/A - by appointment as D/AHoS

\* Term of office = 4 years. Three terms of office can be served

## Appendix 1 Duties of the Local Advisory Body (LAB)

*\*Academy reads as school & vice versa*

<b>1 General</b>	<p>1.1. Supporting the Head of School in the creation and monitoring of the School Improvement Plan (SIP) in the context of the Trust's vision, aims and objectives for approval by the Trustees.</p> <p>1.2 If requested by the Trustees, tailoring Trust template documents to local arrangements.</p> <p>1.3 Ensuring that the Academy implements and monitors the policies approved by the Trustees with particular reference to statutory policies.</p> <p>1.4 Assisting the Trust in ensuring that the Academy is operated efficiently and in accordance with the Trustees' agreed principles of governance.</p> <p>1.5 Promoting and upholding the ethos of the Trust</p> <p>1.6 Do all such things as the Trustees may specify as being necessary to ensure that the Trust is meeting its legal obligations.</p>
<b>2 School Improvement Plan (SIP)</b>	<p>2.1 Ensuring that the School Improvement Plan identifies and addresses achievement priorities through the analysis of publicly available and internally generated data</p> <p>2.2 Monitoring and evaluating the School Improvement Plan</p> <p>2.3 Reporting via Trust template documents at termly intervals in conjunction with the Head of School on progress made against the School Improvement Plan and targets set.</p>
<b>3 Risk, Health &amp; Safety and Asset management</b>	<p>3.1 Ensuring asset management systems are adhered to within the Academy.</p> <p>3.2 Ensuring local arrangements for the effective supervision of building maintenance and minor works.</p> <p>3.3 Implementing the Trust Health &amp; Safety policy ensuring full compliance with regulations and report this to the Head of School for inclusion in the SEF and to the Board of Trustees on a termly basis using the required template.</p> <p>3.4 Feedback to the Trust Finance, Audit &amp; Risk Committee (via Chair) any matters relating to the risk register</p>

<b>4 Finance</b>	3.5 Regularly monitor and ensure that all safeguarding procedures, policies and processes are in place. This includes GDPR
	<p>4.1 Contribute to the annual budget for the Academy for approval by the Board of Trustees.</p> <p>4.2 Monitoring finances through monthly monitoring for feedback to Trust Finance, Audit &amp; Risk Committee to</p> <ul style="list-style-type: none"> <li>- ensure value for money in relation to the School Improvement Plan</li> <li>- monitor the Academy's predicted income and expenditure against the annual budget</li> <li>- ensure any variances are reported to the Trustees' for approval in line with SoD Terms of Reference Part 2</li> </ul>
<b>5 Governance</b>	<p>5.1 Ensuring that all requests for information or actions required are met within agreed timescales.</p> <p>5.2 If requested by the Board of Trustees, make arrangements for the election of Local Advisory Body members.</p> <p>5.3 Appointing from its number, Local Advisory Body members with specific responsibilities for safeguarding and according to other priorities (KPIs) as identified in the School Improvement Plan.</p> <p>5.4 Local Advisory Body members will follow agendas and any other standing items which might be prescribed on behalf of the board from time to time using the template provided by the Board of Trustees.</p> <p>5.5 Ensuring that accurate minutes are taken of Local Advisory Body meetings using the agreed template, reporting to the Board on expected actions and outcomes.</p> <p>5.6 Maintaining a register of Local Advisory Body member's pecuniary interests and ensuring the proper and effective management of conflicts of interest.</p> <p>5.7 Respecting the confidential nature of matters which might be discussed at Local Advisory Body meetings</p>
<b>6 Staffing</b>	6.1 Take responsibility for such personnel matters are detailed in SoD Term of Reference Part 2

	6.2 If requested by the Trustees contribute to panels for example, appraisal, pay, disciplinary, complaints, capability, exclusions, appeals and admissions.
<b>7 Admissions</b>	<p>7.1 Ensuring arrangements are in place for the implementation and monitoring of the admissions policy for the particular academy.</p> <p>7.2 Positively promote pupil admissions to the Academy with parents.</p>
<b>8 Behaviour</b>	8.1 Monitoring the Academy's pupil behaviour and discipline as prescribed by the Trust's behaviour and discipline policy.
<b>9 Complaints</b>	9.1 Monitoring the management of complaints as prescribed by the Trust's Complaints Procedure.
<b>10 Community and parents</b>	<p>10.1 Positively representing the Academy in the community.</p> <p>10.2 Contributing to the development of the Academy prospectus if requested.</p> <p>10.3 Supporting the Head of School in monitoring the viability of extended school provision.</p> <p>10.4 Ensuring that extended school provision is included in all Academy statutory checks eg Health &amp; Safety, risk assessments and DBS.</p> <p>10.5 Monitoring the outcomes of any parent/community questionnaires/audits.</p>
<b>11 Ofsted</b>	<p>11.1 Supporting the Head of School in preparing and monitoring the Academy's SEF.</p> <p>11.2 Monitoring and implementing the post-inspection agreed actions.</p>
<b>12 Ethos and mission</b>	12.1 Contributing to any consultation carried out by the Trustees in respect of the Academy's mission, ethos and policies.