

**Birmingham City University Academies Trust**

**Governance Arrangements**

**And**

**Scheme of Delegation**

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 (including Terms of Reference for Health and Safety Sub-Committee)

**1. Introduction**

1.1 The Articles of Association (a document which outlines the governance structure and how the trust operates), notes the objective of Birmingham City University Academies Trust (BCUAT) as follows:

“ to advance for the public benefit education in the United Kingdom, in particular but without prejudice to the generality of the foregoing by establishing, maintaining, carrying on, managing and developing schools (“the mainstream Academies”) offering a broad and balanced curriculum or educational institutions which are principally concerned with providing full-time or part-time education for children of compulsory school age…”.

1.2 The purpose of this document is to provide transparency on the structure by which the different elements of governance work together for the benefit of BCUAT as a whole. The current model has been based on the lessons learnt over the past three years and will be reviewed by the Trustees/Directors and Local Advisory Board (LAB) Members annually to ensure that the model supports effective governance in practice.

**2. Governance structure and accountability**

2.1 Effective governance at BCUAT is supported by the following:

* Members of the Company – the subscribers to the Memorandum of Association
* Board of Directors – the Trustees/Directors
* Sub-Committees of the Board of Directors:
	+ - The Audit and Finance Committee
		- The Local Advisory Board (LAB)
* An Executive Team - the Accounting Officer, Chief Financial Officer, Academy Principals and Company Secretary.

2.2 The current governance structure in operation at BCUAT is as follows:

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2.3 **Accountability for decisions**

The Board of Directors currently delegates authority to two key groups to ensure the effective leadership and governance of the Academies Trust. The two key groups are:

* Executive leaders and managers (the Executive Team)
* Sub-Committees of the Board of Directors, primarily the LAB and its sub-committees

The relationship between the Board of Directors, the Executive Team and the LAB is arranged to realise a common vision and purpose.

The Terms of Reference for each Committee and the roles and responsibilities listed provide clarity as to who the decision makers are at different levels. Effectiveness of both management and governance is supported through a scheme of delegation (see section 4) which provides clarity over who holds the decision-making responsibility and who supports and advises the decision makers.

The Board of Directors remain ultimately responsible for the Academies Trust and the conduct of its Academies. The operation of the various elements of governance outlined in this document are crucial to the success of the Trust. However, there may be circumstances where the Board of Directors might need to intervene and withdraw delegated authority for a particular area of governance.

In such circumstances, the Board of Directors, along with the Executive Team would work closely with the Academies who would be expected to promptly implement any advice or recommendations made by the Board of Directors and the Executive Team.

The Board of Directors reserves the right to review or remove any power or responsibility which it has delegated, in particular, in circumstances where serious concerns in the management of an Academy are identified, including:

* Concerns about financial matters
* Insufficient progress being made against educational targets
* A breakdown in the management or governance of an Academy
* The safety of pupils or staff being threatened

**3. Roles and responsibilities**

**3.1 The role of the Members**

3.1.1 The Members of the Trust have a different status to the Directors. The original Members of the Trust were signatories to the Memorandum of Association and agreed the Trust’s first Articles of Association. The Articles of Association also describe how Members are recruited and replaced, and denotes how Directors can be appointed by Members. The Members appoint a number of Directors to ensure that the Trust’s charitable objective is carried out and as a consequence must be able to remove Directors if they fail to fulfil their responsibilities. Members are also responsible for approving any amendments made to the Trust’s Articles of Association. [Article 6.6].

3.1.2 The BCUAT Members are:

* Birmingham City University (corporate member)
* The senior strategic Birmingham City University lead for teaching and learning (ex officio member) currently the Vice-Chancellor – Philip Plowden
* One person nominated by Birmingham City University - Maxine Penlington

**3.2 The role of the Trustees/Directors**

3.2.1 The Board of Directors has overall responsibility and ultimate decision-making authority for all the work of the Academies Trust, including the establishment and maintenance of the Academies.

3.2.2 Directors are the charity Trustees (within the terms of section 177(1) of the Charities Act 2011) and are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the Memorandum and Articles of Association. The Board of Directors is the accountable body for the performance of all Academies within the Trust and must adhere to the three core principals of governance:

* Ensure clarity of vision, ethos and strategic direction
* Hold the Accounting Officer, Chief Financial Officer and Principal to account for the educational performance of the Academy’s and their pupils, and the performance management of staff
* Oversee the financial performance of the Trust and make sure its money is well spent

3.2.3 Directors are bound by both charity and company law, the terms ‘Trustees’ and ‘Directors’ are often used interchangeably.

3.2.4 The Board of Directors is permitted to exercise all the powers on behalf of the Academies Trust. The Board of Directors will delegate to the Accounting Officer responsibility for the day to day operations of the Trust. Each Academy is governed and managed by Birmingham City University Academies Trust. The Directors determine the level of governance functions that will be delegated and bestows specific governance responsibilities on the LAB to enable the running of each Academy, according to the principle of earned autonomy.

3.2.5 The Board of Directors has the right to review and adapt its governance structure at any time, which includes the removal of delegated powers.

3.2.6 The Academies Trust will offer educational and administrative support for specific functions in a number of ways: either directly from the Trust, the University or by facilitating access to support required from external agencies.

The Board of Directors will meet no less than three times per year. The composition of the Board of Directors according to the Articles of Association is:

* Not less than three and not more than seven Trustees/Directors
* Up to four Directors appointed by Birmingham City University (BCU)
* The Chair of the first / one of the Academy LABs
* A Pro Vice-Chancellor of Birmingham City University
* A member of the BCU Board of Governors
* Trustees may also appoint co-opted Trustees/Directors
* The Company Secretary to the Board of Directors will be the University Secretary

3.2.7 Trustee terms of office are four years (renewable)

**3.3 The role of the Sub-Committees**

3.3.1 The Board of Directors may establish Sub-Committees either with delegated authority to make decisions or for the purpose of providing advice, support and informing the overall work of the Board of Directors. The Committees are not legally responsible or accountable for statutory functions; the Board of Directors retains overall accountability and responsibility. The responsibilities of all Committees are set out in their Terms of Reference and in the Schemes of Delegation. The Board of Directors will appoint Committee Chairs and some Committee Members.

**3.4 The role of the Accounting Officer**

3.4.1 The Accounting Officer has delegated responsibility for the operation of the Trust including the performance of the Trust’s Academies. The Accounting Officer line manages the Academy Principals.

3.4.2 The Accounting Officer has overall responsibility for the operation of the Academies Trust’s finances and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money. A Chief Financial Officer appointed by the Board of Directors will support the Accounting Officer in all financial and audit matters.

3.4.3 The Accounting Officer leads the Head Office team of the Academies Trust. The Accounting Officer will delegate certain functions to the Head Office team and is accountable to the Board of Directors for the performance of the Head Office team.

**3.5 The role of the Local Advisory Board (LAB)**

3.5.1 The Board of Directors will establish a LAB in each Academy that will be responsible for ensuring the good governance, high standards of attainment and progress of pupils and that national expectations are at least met, and preferably exceeded in each Academy.

3.5.2 The LAB is responsible for overseeing and monitoring the finances of the Academies in accordance with the Trust’s expectations and delegation principles.

3.5.3 The LAB will support and challenge Academy Principals and will be mindful that the Board of Directors determine the strategic direction and procedures to be followed by the Academies. The Board of Directors will from time to time advise and challenge the LAB to ensure that they are effective and discharging their duties appropriately. The foundation of the LAB Terms of Reference are to be found in the Articles of Association.

3.5.4 The Board of Directors will appoint the LAB Chair and a number of members of each LAB. Two parents and two staff (a member of teaching and support staff) will be elected as members of the LAB.

3.5.5 The LAB is required to:

* To advise and support the Academy Principal in maintaining and improving academic standards and performance
* To monitor and receive reports on pupil performance and progress and to report any areas of concern to the Trust.
* To monitor pupil behaviour and attendance, to uphold and encourage good pupil behaviour, and to consider appeals against any decisions to exclude students from attendance
* To collaborate with the Academy Trust and the Principal in the appointment of staff through a procedure set out by the Academy Trust and agreed with the Principal
* To establish sub-committees on any matter, with the agreement of the Trust Board, with the power to co-opt up to two additional members, which will further the mission and objectives of the Academy 6 To facilitate effective communication between the Academy and its stakeholders including pupils, parents and staff by establishing consultation groups as required in line with Trust policy and agreed procedures
* To advise the Academy Trust on the effectiveness of Trust policies and to monitor and support Academy improvement through the School Improvement Plan.
* To submit an annual report on the work of the committee and sub-committees to the Trust Board
* To receive reports, monitor the progress of work and consider recommendations made by subgroups.
* To review member contributions, skills and terms of office to ensure continuity and effectiveness.
* To review and monitor the management of risk and the associated register bi-annually

**Curriculum Responsibilities**

* Monitor the quality of teaching and learning across the Academy and ensure actions being taken to address areas of underperformance.
* To ensure that the curriculum is broad and balanced, relevant to the needs of all children and adequately resourced.
* Monitor and review procedures for ensuring the effective implementation of the School Improvement Plan relating to teaching, learning, curriculum and quality of provision.
* Consider and recommend appropriate targets for pupils at Early Years Foundation, Key Stages 1 and 2.
* Establish, monitor the impact of, and review the Teaching and Learning Policy, SEND Policy and other curriculum related policies in line with the agreed cycle and make recommendations to the Local Advisory Board as necessary.
* Monitor the progress of each year group and the attainment of groups of pupils by gender, FSM, SEN, and those identified under Pupil Premium and to ensure effective strategies are in place in order to narrow gaps in performance between different groups.
* To ensure that policies and procedures are in place to promote British values and the spiritual, moral, social and cultural development of children.
* To celebrate children’s achievements.

**Finance and Resources Responsibilities**

* Monitor the Annual Budget as approved by BCUAT and establish formal procedures and timetables for planning the budget.
* Receive a prepared budget and proposals for capital expenditure for the proceeding financial year.
* Receive budget reports from the School Business Manager.
* Assess, at least once a year, financial progress towards achieving the objectives in the School Improvement Plan and consistent with this aim, review projected expenditure for future years in accordance with the School Improvement Plan.
* Review the audited accounts and review the audit of the Academy Fund and other voluntary funds held within the Academy.
* Review the EFA Risk Protection Arrangements (RPA) to ensure that it provides adequate protection against risks.
* Ensure as far as is reasonably possible that the Academy's procedures and practices that relate to human resources, comply with equal opportunities legislations and Trust approved policies.
* Draft and keep under review the Academy staffing structure in consultation with the Principal and in line with the School Improvement Plan
* Oversee the implementation of a revised Academy staffing structure and ensure informed HR advice is given to the Local Advisory Board in all revisions.
* Monitor and review the procedures followed by the Principal who leads on the process of making staff appointments, providing particular assistance and support with the process of appointments to the leadership group.
* Keep under review staff work/life balance, working conditions and wellbeing, including the monitoring of absence
* Monitor the programme of staff development and training and ensure that it is meeting the needs of the Academy and its staff and school improvement priorities.
* Consider staff requests for leave of absence in line with BCUAT guidance including study leave.
* Agree the way in which Pupil Premium is used to support better outcomes and narrow gaps in attainment. Monitor the impact of Pupil Premium in narrowing gaps.
* Review, monitor and evaluate the Academy’s annual maintenance programme
* To provide support and guidance for the Principal in all matters relating to Safeguarding,
* To ensure the school fulfils its role in relation to safeguarding issues and has the required procedures in place.

**3.6 The role of the Academy Principal**

3.6.1 The Academy Principal is responsible for the day to day management of the Academy and is accountable to the Accounting Officer, LAB and Board of Directors. The Academy Principal performance manages Academy staff.

3.6.2 The Academy Principal will be delegated certain powers and functions for the internal organisation, management and control of the Academy and will be responsible for:

* promoting of the Academy to parents and the local community to ensure good recruitment and maintenance of pupil roll
* the performance management, staff appointments and professional development of all staff
* the quality of teaching
* embedding leadership at all levels throughout the Academy, particularly senior, subject and phase leadership
* operationalising the Trust Boards vision and strategy for the Academy
* working with senior leaders to develop appropriate policies and procedures
* the consistent application of all Academy policies and procedures
* implementing a broad and balanced curriculum in line with national requirements
* ensuring the good governance, high standards of attainment and progress of pupils and that national expectations are at least met, and preferably exceeded in each Academy
* ensuring attendance meets national expected levels
* behaviour and safety being managed effectively and gaining parental confidence that pupils are safe and that behaviour is good
* building effective working relationship between the Academy and the LAB ensuring that members have all the information required for them to provide the support and challenge required
* providing timely information to the LAB and Board of Directors to support them in carrying out their roles
* providing the information necessary to monitor progress against annual development priorities, targets and budgets including information on attendance, the progress of groups of pupils, quality of teaching, staff performance and financial information
* managing and expending all monies received on account of and for the Academy
* ensuring that all financial procedures are complied with and that management information is regularly provided to BCUAT Officers
* preparing the annual budget and capital expenditure proposals for the Academy
* ensuring safeguarding, health and safety procedures meet with or exceed statutory requirements
* promoting British values

**3.7 The role of other Academy and Trust staff**

3.7.1 Other staff provide financial, personnel, governance, educational and administrative support to the Trust and Academies.

**4. Scheme of Delegation**

|  |  |
| --- | --- |
| Symbol  | Level of Authority |
| ✓ | Action to be undertaken at this level |
| A | Provide advice and support to those accountable for decision making |
| <>  | Direction of advice and support |

**4.1 The Governance Framework**

**4.1.1 Membership**

| **Function** | **Delegation** |
| --- | --- |
| **Members** | **Board of Directors** | **Accounting Officer** | **Academy Principal** | **Local Advisory Board** | **Sub -Committee Audit and Finance** |
| Appoint/remove members | ✓ |  |  |  |  |  |
| Appoint/remove trustees | ✓ | ✓ |  |  |  |  |
| Appoint/remove Company Secretary |  | ✓ |  |  |  |  |
| Agree role descriptions for trustees/chair/specific roles/committee members |  | ✓ | A |  |  |  |
| Ensure that Parent trustee/ local advisory board members are elected/appointed |  | ✓ |  |  | ✓ |  |
| Appoint/ remove Trust-level committee chairs  |  | ✓ |  |  |  |  |
| Appoint/ remove local advisory board chairs  |  | ✓ | A |  |  |  |
| Appoint/ remove the secretaries to sub-committees of the Trust Board |  | ✓ |  |  |  | <A |
| Appoint and remove clerk to LAB  |  | ✓ |  |  | <A |  |

**4.1.2 Systems and structures**

| **Function** | **Delegation** |
| --- | --- |
| **Members** | **Board of Directors** | **Accounting Officer** | **Academy Principal** | **Local Advisory Board** | **Sub -Committee Audit and Finance** |
| Review and approve amendments to the Articles of Association  | ✓ | A | A |  |  |  |
| Establish and review annually the governance structure (and committees) for the Trust:  |  | ✓ | A |  |  |  |
| Review and annually approve the Terms of Reference for sub-committees of the Trust Board |  | ✓ |  |  |  | <A |
| Annually agree and review the Terms of Reference for LAB  |  | ✓ |  |  | <A |  |
| Complete skills audit and recruit to fill gaps  |  | ✓ | <A> |  | ✓ |  |
| Complete an annual self-review of Board of Directors’ performance |  | ✓ |  |  |  |  |
| Periodically carry out a 360 performance review of all Chairs  | ✓ | ✓ |  |  | ✓ | ✓ |
| Annually review trustee contribution |  | ✓ |  |  |  |  |
| Annually review LAB/ sub-committee members contribution |  |  | A> |  | ✓ | ✓ |
| Plan succession |  | ✓ | A |  |  |  |
| Agree the Board of Directors annual schedule of business  |  | ✓ | A |  |  |  |
| Agree the annual schedule of business for all committees |  | ✓ | A |  |  | A |

**4.1.3 Reporting**

| **Function** | **Delegation** |
| --- | --- |
| **Members** | **Board of Directors** | **Accounting Officer** | **Academy Principal** | **Local Advisory Board** | **Sub -Committee Audit and Finance** |
| Ensure Trust governance details are up to date on Trust website:  |  |  | ✓ |  |  |  |
| Ensure Trust governance details are up to date on Academy website(s) |  |  | ✓ | A |  |  |
| Establish, update and publish interests (business, pecuniary and loyalty) on DfE, Trust and Academy websites for members/trustees/committee members/LAB members/Senior Officers  |  |  | ✓ | ✓ |  |  |
| Submit an annual report on the performance of the Trust to Members of the Company |  | ✓ | A |  |  |  |
| Submit an annual report and accounts (including accounting policies, signed statement on regularity, propriety and compliance, and value for money statement) to Members, Companies House and the Education Funding Agency |  | ✓ | ✓ |  |  | A |
| Submit an annual report on work of LAB to the Board of Directors |  |  |  | A | ✓ |  |

**4.2 Strategic Priorities**

| **Function** | **Delegation** |
| --- | --- |
| **Members** | **Board of Directors** | **Accounting Officer** | **Academy Principal** | **Local Advisory Board** | **Sub – Committee Audit and Finance** |
| Determine and approve Trust-wide policies which reflect the Trust's ethos and values (facilitating discussions with unions where appropriate) including: admissions; charging and remissions; complaints; expenses; health and safety, premises management; data protection and FOI; staffing policies including capability, discipline, conduct and grievance |  | ✓ | A |  | A | A |
| Determine and approve Academy-level policies which reflect Academy ethos and values to include e.g.; SEND; safeguarding and child protection; curriculum; behaviour |  |  | A | A | ✓ |  |
| Review estates and building reports and approve proposals (in conjunction with the annual budget) |  | ✓ | A | A | A | A |
| Agree the central spend / top slice  |  | ✓ | A |  |  | A |
| Review and monitor the management of risk and the associated register bi-annually |  | ✓ | <A> | <A> | ✓ | <A |
| Engagement with stakeholders  |  | ✓ | ✓ | ✓ | ✓ | ✓ |
| Determine the Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured |  | **✓** | A |  |  |  |
| Determine Academy vision, strategy and School Improvement Plan agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured |  | ✓ | A | A | A | A |
| Determine Staff Development Plan agreeing key priorities and key indicators against which to benchmark and measure progress towards achieving the vision  |  | A | ✓ | ✓ | A |  |
| Appoint and dismiss Accounting Officer  |  | ✓ |  |  |  |  |
| Appoint and dismiss Academy Principals |  | ✓ | A |  |  |  |
| Agree the budget plan to support delivery of key priorities for the Trust |  | ✓ | A (support from CFO) | A | A | A |
| Agree Trust's staffing structure |  | ✓ | A (support from HR Consultant) |  |  |  |
| Agree Academy staffing structure(s)  |  |  | A(support from HR Consultant) | ✓ | A |  |

**4.3 Accountability**

| **Function** | **Delegation** |
| --- | --- |
| **Members** | **Board of Directors** | **Accounting Officer** | **Academy Principal** | **Local Advisory Board** | **Sub -Committee Audit and Finance** |
| Agree the auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment, finance) |  | ✓ | A |  |  | <A |
| Agree the reporting arrangements for progress on key priorities  |  | ✓ | A | A |  | A |
| Undertake the performance management of the Accounting Officer |  | ✓ |  |  |  |  |
| Undertake the performance management of the Chief Financial Officer |  |  | ✓ |  |  | <A |
| Undertake the performance management of Academy Principals |  | ✓ | ✓ |  | <A |  |
| Appraise performance of Trust Secretaries  |  | ✓ | A |  |  | A |
| Appraise performance of LAB Clerk |  |  |  | A | ✓ |  |
| Agree arrangements for Trustee monitoring  |  | ✓ | A |  |  |  |
| Agree arrangements for monitoring local advisory board members  |  | ✓ | A |  | ✓ |  |

**4.4 Ensuring financial probity** (please see Financial Scheme of Delegation for more detailed information)

| **Function** | **Delegation** |
| --- | --- |
| **Members** | **Board of Directors** | **Accounting Officer** | **Academy Principal** | **Local Advisory Board** | **Sub -Committee Audit and Finance** |
| Appoint Chief Financial Officer for delivery of Trust’s detailed accounting processes |  |  | ✓ |  |  | A |
| Establish and review Trust and Academy financial scheme of delegation |  | ✓ | A(support from CFO) |  |  | A |
| Receive and respond to external auditors' report |  | ✓ | A(support from CFO) |  |  | A |
| Agree Academy Principal pay award(s)  |  | ✓ | A (support from HR Consultant) |  |  |  |
| Monitor and agree Head Office staff appraisal procedure and pay progression  |  | ✓ | A(support from HR Consultant) |  |  |  |
| Monitor and agree Academy staff appraisal procedure and pay progression |  |  | ✓  | A> | ✓ |  |
| Benchmarking and Trust-wide value for money: ensure robustness |  | ✓ | <A> | A> | ✓ | A |
| Ensure robustness in benchmarking and Academy value for money |  | ✓ | <A> | ✓ | <A | <A |
| Develop Trust-wide procurement strategies and efficiency savings programme  |  | ✓ |  A (support from CFO) |  |  | A |

**ANNEX 1**

BIRMINGHAM CITY UNIVERSITY ACADEMIES TRUST

BOARD OF DIRECTORS

AUDIT AND FINANCE COMMITTEE

MEMBERSHIP AND TERMS OF REFERENCE

**1. Constitution**

1.1 The Board of Directors has established a committee of the Birmingham City University Academies Trust to be known as the Audit and Finance Committee. The Committee shall at all times maintain a clear distinction between its audit and finance responsibilities.

**2. Purpose**

2.1 The purpose of the Committee is to:

* + - Provide oversight in respect of audit, risk, financial and internal control matters and to provide assurance to the Board of the effectiveness of the Trust’s procedures in these respects
		- Consider and advise on commercial and financial matters affecting the Trust.

**3. Membership**

3.1 Expertise

3.1.1 At least one member should have recent and relevant experience in finance, accounting or auditing. The Committee may, if it considers it necessary or desirable, co-opt members with particular expertise.

3.2 Current Members

* + - Mr Neville Garner-Jones (Chair)
		- Mr Ian Blair
		- Ms Maxine Penlington

3.3 Co-opted members

* + - Currently none

**4. Attendance at meetings**

4.1 The Chief Financial Officer and Accounting Officer should attend all meetings and a representative of the external auditors shall normally attend meetings where business relevant to them is to be discussed. However, as necessary, the Committee will meet with the external auditors without any officers present. The University Secretary shall normally attend at least one meeting each academic year.

**5. Mode of Operation**

5.1 The Committee shall have a quorum of two members.

5.2 Meetings shall normally be held at least three times each financial year. The external auditors may request a meeting with the Committee at any time if they consider it necessary.

**6. Authority**

6.1 The Committee is authorised by the Board of Directors to investigate, as necessary, any matters within its terms of reference.

**7. Duties**

7.1 Audit Responsibilities

7.1.1 In fulfilling its audit functions, the duties of the Committee shall be:

* + - To provide assurance to the board that the Trust and Academies have:
		- implemented effective procedures for the identification and monitoring of risk including the risk of fraud and irregularity
		- implemented effective systems of internal financial and commercial control. The Accounting Officer, with the support of the Chief Financial Officer, will be responsible for establishing and operating all risk management and internal control procedures
		- To advise the Board of Directors on the appointment of the external auditors, the audit fee, the provision of any non-audit services by the external auditors and any questions of resignation or dismissal of the external auditors.
		- To discuss, as appropriate, with the external auditors, before the audit begins, the nature and scope of the audit.
		- To discuss with the external auditors any findings or matters arising the interim and final audits, including a review of the management letter incorporating management responses,
		- To provide assurance to the Board on the effectiveness of the external audit
		- To ensure the recommendation of the external auditors are implemented as appropriate.
		- To consider relevant elements of the annual statutory financial statements in the presence of the external auditors, including (but not limited to) the auditors’ formal opinion, the statement of members’ responsibilities and the statement of internal control, in accordance with the Academies Financial Handbook and to discuss as necessary with the external auditors the accounting policies and key judgements used in preparing the statutory financial statements.
		- To monitor annually the performance and effectiveness of external auditors, including any matters affecting their objectivity, and to make recommendations to the Board of Directors concerning their re-appointment, where appropriate.
		- To satisfy itself that appropriate and proportionate arrangements are in place to promote value for money including economy, efficiency and effectiveness.
		- To receive any relevant reports from the National Audit Office, the EFA, the Department for Education and other organisations.

7.1.2 To oversee the internal control environment and management of risk at the trust and its constituent academies

* + - To provide general assurance to the Board of Directors with regards to the Trust’s and Academies compliance with the funding agreement, Academies Financial Handbook and other Education and Skills Funding Agency (ESFA) guidelines including the submission of returns.
		- To ensure that information submitted to DfE and ESFA that affects funding, including pupil number returns and funding claims completed by the trust and constituent academies, is accurate and in compliance with funding criteria (should these two requirements form their own point? Need to include these in the remit and annual cycle of business)

7.1.3 To provide assurance to the Board of Directors that an effective programme of internal risk review and verification of internal control, that is appropriate for the Trust’s circumstances, has been implemented and to oversee the appointment of internal and external contractors where appropriate.

7.1.4 Review the findings of the internal auditors and make recommendations, as appropriate to the Accounting Officer and the Board of Directors.

7.1.5 To ensure that all significant losses of assets have been properly investigated and that the Board of Directors, external auditors, and where appropriate the ESFA have been informed.

7.1.5 To monitor and review the Trust’s arrangements for ensuring compliance with the Bribery Act 2010.

7.1.6 To oversee the preparation and the review of the Trust’s Financial Regulations policy and keep the effectiveness of the Trust’s purchasing arrangements under review.

7.2 Finance Responsibilities

7.2.1 In fulfilling its functions as a finance committee, the duties of the Committee shall be:

* + - To review the current budgeting and management accounting and reporting formats and make recommendations to the Board of Directors, where appropriate.
		- To review and scrutinise budgets prior to consideration and approval by the Board of Directors
		- To undertake periodic review/scrutiny of management accounts prior to consideration by the Board of Directors.
		- To ensure sufficient rigour and scrutiny of the budget management process to understand and address variances between the budget forecast and actual income and expenditure
		- To consider any financial and commercial matters reported by the Accounting Officer or Chief Financial Officer that may be of concern and make appropriate recommendations to the Board of Directors.
		- To provide advice on the financing, acquisition and disposal of Academies.

**8. Reporting procedures**

8.1 Draft minutes (or a report) of meetings of the Committee will be circulated to all members of the Board of Directors at their next meeting.

**9. Committee Servicing Arrangements**

9.1 The Secretary to the Audit and Finance Committee is the BCUAT Administrative Officer.

9.2 Papers for the Committee will be distributed one week prior to the date of each meeting.

**ANNEX 2**

**CITY ROAD PRIMARY ACADEMY**

**LOCAL ADVISORY BOARD (LAB)**

**Terms of Reference**

**Scope**

The Local Advisory Board of City Road Primary Academy is mainly advisory and will have delegated authority for specific activities as defined by the Academies Trust in line with the Terms of Reference. The Local Advisory Board is responsible for ensuring good communications between the school and its pupils, parents, and staff; and for effective communication and collaboration with the Academy Trust in order to achieve continuous improvement in the performance of the school, to the benefit of its pupils.

**Specific duties and responsibilities**

1 To advise and support the Academy Principal in maintaining and improving academic standards and performance

2 To monitor and receive reports on pupil performance and progress and to report any areas of concern to the Trust.

3 To monitor pupil behaviour and attendance, to uphold and encourage good pupil behaviour, and to consider appeals against any decisions to exclude students from attendance

4 To collaborate with the Academy Trust and the Principal in the appointment of staff through a procedure set out by the Academy Trust and agreed with the Principal

5 To establish sub-committees on any matter, with the agreement of the Trust Board, with the power to co-opt up to two additional members, which will further the mission and objectives of the Academy

6 To facilitate effective communication between the Academy and its stakeholders including pupils, parents and staff by establishing consultation groups as required in line with Trust policy and agreed procedures

7 To advise the Academy Trust on the effectiveness of Trust policies and to monitor and support Academy improvement through the School Improvement Plan.

8 To submit an annual report on the work of the committee and sub-committees to the Trust Board

9 To receive reports, monitor the progress of work and consider recommendations made by subgroups.

10 To review member contributions, skills and terms of office to ensure continuity and effectiveness.

11 To review and monitor the management of risk and the associated register annually

**Curriculum Responsibilities**

12 Monitor the quality of teaching and learning across the Academy and ensure actions being taken to address areas of underperformance.

13 To ensure that the curriculum is broad and balanced, relevant to the needs of all children and adequately resourced.

14 Monitor and review procedures for ensuring the effective implementation of the School Improvement Plan relating to teaching, learning, curriculum and quality of provision.

15 Consider and recommend appropriate targets for pupils at Early Years Foundation, Key Stages 1 and 2.

16 Establish, monitor the impact of, and review the Teaching and Learning Policy, SEND Policy and other curriculum related policies in line with the agreed cycle and make recommendations to the Local Advisory Board as necessary.

17 Monitor the progress of each year group and the attainment of groups of pupils by gender, FSM, SEN, and those identified under Pupil Premium and to ensure effective strategies are in place in order to narrow gaps in performance between different groups.

18 To ensure that policies and procedures are in place to promote British values and the spiritual, moral, social and cultural development of children.

19 To celebrate children’s achievements.

**Finance and Resources Responsibilities**

20 Monitor the Annual Budget as approved by BCUAT and establish formal procedures and timetables for planning the budget.

21 Receive a prepared budget and proposals for capital expenditure for the proceeding financial year.

22 Receive budget reports from the School Business Manager.

23 Assess, at least once a year, financial progress towards achieving the objectives in the School Improvement Plan and consistent with this aim, review projected expenditure for future years in accordance with the School Improvement Plan.

24 Review the audited accounts and review the audit of the Academy Fund and other voluntary funds held within the Academy.

25 Review the EFA Risk Protection Arrangements (RPA) to ensure that it provides adequate protection against risks.

26 Ensure as far as is reasonably possible that the Academy's procedures and practices that relate to human resources, comply with equal opportunities legislations and Trust approved policies.

27 Draft and keep under review the Academy staffing structure in consultation with the Principal and in line with the School Improvement Plan.

28 Oversee the implementation of a revised Academy staffing structure and ensure informed HR advice is given to the Local Advisory Board in all revisions.

29 Monitor and review the procedures followed by the Principal who leads on the process of making staff appointments, providing particular assistance and support with the process of appointments to the leadership group.

30 Keep under review staff work/life balance, working conditions and wellbeing, including the monitoring of absence.

31 Monitor the programme of staff development and training and ensure that it is meeting the needs of the Academy and its staff and school improvement priorities.

32 Consider staff requests for leave of absence in line with BCUAT guidance including study leave.

33 Agree the way in which Pupil Premium is used to support better outcomes and narrow gaps in attainment. Monitor the impact of Pupil Premium in narrowing gaps.

34 Review, monitor and evaluate the Academy’s annual maintenance programme

35 To provide support and guidance for the Principal in all matters relating to Safeguarding,

36 To ensure the school fulfils its role in relation to safeguarding issues and has the required procedures in place.

**Arrangements for meetings**

Quorum: any three members or one-third of membership if greater

Meeting frequency: twice each term

## Governing Body Process

The Agenda will be prepared in advance, in consultation with the Principal and the Chair. LAB Members must advise the clerk of any items for inclusion 10 working days before a meeting. Agendas and relevant papers will be circulated 5 working days before each meeting.

Draft minutes will be sent to the LAB Chair for checking 3 working days after a meeting, so that they can be circulated to the LAB within 5 working days. Minutes will be kept electronically by the Academy and Trust and will be signed by the LAB Chair and reviewed at next meeting of the Board of Directors.

**Composition**

* Chair of the Governing body appointed by BCUAT
* Academy Principal
* Up to five members appointed by the Trust
* Two staff members, elected by teaching and support staff
* Two parent members, elected by parents of students enrolled at the Academy School

**Chair and Vice-Chair**

As provided for by the funding agreement with the DFE, BCUAT can appoint the first Chair and Vice-Chair, each for a three year term. Thereafter, the Board of Directors will continue to appoint the Chair of the Local Advisory Board and the Vice-Chair will be elected annually by the Local Advisory Board from among the members appointed by the Trust. (Academy employees may not act as Chair or Vice Chair of the Local Advisory Board)

**Clerk**

The Local Advisory Board shall appoint the Clerk to the Committee, who may not be the Principal of the Academy. The Clerk shall convene and attend meetings of the Committee and ensure that the minutes of the proceedings are drawn up; and perform other such functions with respect to the Committee as shall be determined by the Local Advisory Board and Principal from time to time.

**Academy Principal**

The Principal will remain a member of the LAB for the duration of his/her employment at the Academy.

**Appointment of LAB Members**

The Trust Board will appoint up to five members of the Local Advisory Board.

The term of office will be three years, renewal subject to a formal review of performance conducted by the LAB Chair and the continued confidence of the Trust

Board.

**Appointment of Staff Members**

Nominations will be sought from teaching staff and support staff for those willing to serve as Staff Members of the Local Advisory Board. The LAB will oversee the appointment process.

The term of office will be three years subject to continuing employment with the Academy. An election will be held if more nominations are received than the number of vacancies.

**Appointment of Parent Members**

There will be two Parent Members. Nominations will be sought from parents of students enrolled at the Academy for those willing to serve as Parent Members of the Local Advisory Board. The LAB will oversee the appointment process.

The term of office will be three years subject to the students continuing enrolment at the Academy. Parent members must be a parent of a registered pupil at the Academy at the time when he/she is elected and the term of office will be subject to continuing to be a parent of a registered pupil at the Academy. This is at the discretion of the Trust Board and the appointment could continue for up to twelve months after their child has left the school.

## Responsible Officer

BCUAT is required to appoint a responsible officer who acts as an internal auditor, periodically carrying out checks on the financial systems and controls. The Responsible Officer will be the Chief Financial Officer of the Trust.

**CITY ROAD PRIMARY ACADEMY**

**LOCAL ADVISORY BOARD (LAB)**

**HEALTH AND SAFETY COMMITTEE**

**TERMS OF REFERENCE**

**Committee Membership**

Local Advisory Board members x 3

Deputy Principal

Academy Business Manager

BCU Health and Safety Advisor

**Quorum:** 3 (to include 2 LAB members)

To monitor the maintenance and upkeep of the school premises and grounds to an acceptable level.

To undertake regular inspections of the premises and grounds and to make recommendations to the Local Advisory Board as to priorities for maintenance and development.

To provide information, support and guidance to the Principal on all matters relating to the

premises and grounds, security and health and safety.

To ensure that arrangements are in place for the dissemination of health and

safety information to all building users, including staff, pupils and visitors.

To review the Health and Safety policy annually with regard to its compliance with Health and Safety Regulations.

To monitor accident reports and fire drills termly and provide statistics as and when required and where appropriate recommend and take advice on remedial action.

To ensure the Academy complies with Health and Safety legislation, including an annual

audit of risk assessment be undertaken by the University safety team and to take action where necessary.

To promote effective co-operation between all employees at the Academy to achieve and to maintain a safe and healthy workplace for staff and pupils.

To provide termly reports to the Local Advisory Board.