

WEST DERBY SCHOOL TRUST BOARD

TERMS OF REFERENCE



September 2024

Next Review due: JULY 2025

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Terms of reference:

Duties of the Board are set out in full in the Academy Trust Governance Guide and will encompass the following:

1. To annually review and approve the Board Decision Planner (Scheme of Delegation).
2. To annually review the terms of reference for the Board.
3. To annually review the terms of reference and membership of committees.
4. To appoint (and remove) the Chair and Vice Chair of the Board.
5. To appoint and dismiss the clerk to the trustees.
6. To hold a Board meeting once a term.
7. To regulate the Board's procedures (where not set out in law).
8. To appoint and remove co-opted and temporary additional co-opted trustees.
9. To set up and review annually a Register of Trustees' Business Interests and to include this as an agenda item at each committee meeting.
10. To appoint a named trustee designated for Safeguarding/Child Protection.
11. To appoint Committee Chairs
12. Ensure that the school has appropriate Safeguarding/Child Protection procedures in place and these are reviewed and approved annually
13. To set the times of school sessions and dates of school terms and holidays.
14. To ensure the school meets for 380 sessions in a school year.
15. To ratify the approval by the Finance, Personnel and Admissions Committee of the first formal budget plan each financial year.
16. To annually review and approve the school Building Insurance and Personal Liability Insurance cover.
17. To annually review and approve the whole school Health & Safety Policy.
18. To annually review the school's Safeguarding Policy.
19. To review the policy and provision for pupils with special needs, ensuring that these are met.
20. To establish committees or panels containing non-board members who may be appointed and/or a joint committee with another school for:

- Disciplinary hearings and appeals
 - Grievance hearings and appeals
 - Dignity at Work investigations and appeals
 - Attendance Hearings and Appeals
 - Pay Appeals
21. To establish committees or panels containing non-board members who may be appointed and/or a joint committee with another school for exclusions. The established committee may then:
 22. Consider the circumstances in which a pupil is excluded.
 23. Consider any representations about the exclusion made by the parent.
 24. Direct reinstatement of excluded pupil.
 25. On advice from the Head Teacher, review the use of exclusion and decide whether to uphold or quash all permanent exclusions. Suspensions, where the pupil is either suspended for more than 5 days in total in a term or would lose the opportunity to sit a public examination, can be considered by this committee where the parent has expressed a wish to make a representation.

For more information about the procedure for board meetings and the powers of the Trustees, please see the Trust's Articles of Association.

Approved by the Full Trust Board 26th June 2024

Audit and Risk Committee Terms of Reference

Terms of reference:

Membership

The Trust Board has the exclusive power to appoint the members of this committee. In the event that an urgent appointment is required the Chair of Trustees (or the Vice-Chair in the Chair's absence) may make the appointment and report this back to the Trust Board for scrutiny.

The current members of this committee as appointed by the Trust Board are:

R Smith: Chair (Trustee)
T Conchie (Trustee)
S Davies (Trustee)
J Misra (Trustee)
M Tsalavouta (Trustee)

Clerk

The committee shall be clerked by the Clerk to the Trust Board. In the event the Clerk is not available at the time of a committee meeting, a member of the committee as approved by those present may clerk the meeting, but they must not make decisions. If this means that the meeting is not quorate, the meeting will be rearranged.

Chair

The Chair of this committee will be appointed by the Trust Board, and only a Trustee may be eligible to serve as Chair. The Trustees fully reserve the right to approve or remove the appointed Chair for whatever reason they so determine. The Chair of the Trust Board cannot hold the position of Chair of the Audit and Risk Committee, although they can be a member of the committee.

Quorum

The Trustees have set the quorum for decision making at committee level to be at least three committee members, the majority of which (two) must be Trustees. In the event that a quorum is not present, the meeting must be adjourned and reconvened at the next available date by the Clerk.

Voting

Decisions will be made on a simple majority vote of the members present. In the event of a tie vote the Chair shall have a casting and final vote.

The Trust Board fully reserves its right to reverse or substitute any decisions taken by the committee.

Responsibilities and Powers

1. To establish and keep under review the School Emergency & Contingency Plan.
2. To review the external auditor's plan
3. To review the annual report and accounts
4. To review the auditor's findings (and actions taken by the trust's managers in response)

5. Assess the effectiveness and resources of the external auditor, the internal audit service and any other service bought in to assess internal controls and make recommendations to the Members on the reappointment, dismissal or retendering of the external auditor and their remuneration.
 - To agree a programme of work with appointed auditors to address financial control risks;
 - To report findings and recommendations to the Board;
 - To monitor, within an agreed timescale, the implementation of agreed recommendations;
 - To monitor and advise the Board on any alleged fraud and irregularity in the School's financial and other control systems and ensuring that all allegations of fraud and irregularity are properly followed up.
6. To carry out an assessment of all risks for the school and produce an annual report for the Board
7. To monitor data breaches and subject access requests, to ensure compliance with the UK GDPR/data protection legislation.
8. To annually review and approve the school Financial Procedures manual.
9. To annually review the Fixed Asset Register.
10. To monitor the Strategic Risk Register and the adequacy and effectiveness of the School's systems of internal control, review arrangements for risk management and the assessment of risk areas.
11. To ensure that the School's systems give value for money at all times and that decision making is good.
12. To advise the Trust Board on priorities for the maintenance and development of the school's premises.
13. To oversee arrangements for repairs and maintenance in consultation with the Business Director and in line with the Hard FM Contract.
14. To approve the costs and contracts for soft FM maintenance, repairs and decoration within the budget allocation.
15. To regularly monitor all issues relating to health & safety, working closely with the school H&S Representative.
16. For a member of the committee to take a lead role in Health & Safety issues.
17. To review and advise the Trust Board on all matters relating to Community Use.
18. To establish and keep under review an Accessibility plan.
19. To monitor and report regularly to the Trust Board on:
 20. Energy
 21. Cleaning
 22. Grounds maintenance
 23. Security
 24. General maintenance
25. To report to the Board in respect of any decisions taken.
26. To review the terms of reference of this committee annually.
27. To meet at least three times per academic year

Approved by the Full Trust Board 26th June 2024

Appraisal Committee

Terms of reference

Membership

The Trust Board has the exclusive power to appoint the members of this committee. In the event that an urgent appointment is required the Chair of Trustees (or the Vice-Chair in the Chair's absence) may make the appointment and report this back to the Trust Board for scrutiny.

The membership of this committee is limited to 3 Trustees, including the Chair. The current members of this committee as appointed by the Trust Board are:

Kate Hodgkiss: Chair (Trustee)
Stuart Davies (Trustee)
Matina Tsalavouta (Trustee)

The members of the committee will also be advised by the school's improvement partner ("SIP"). For the avoidance of doubt, the SIP is not a member of this committee and does not have any decision making rights.

Clerk

The committee shall be clerked by the Clerk to the Trust Board. In the event the Clerk is not available at the time that a committee meeting is required, the Chair may appoint another suitable person to carry out the clerking.

Chair

The Chair of Trustees will act as Chair of this committee.

Quorum

The Chair and two members of the committee must be present for a meeting of the committee to be quorate. In the event that the specified quorum is not present, the meeting must be adjourned and reconvened by the Clerk as soon as practicable.

Voting

Decisions will be made on a simple majority vote of the members present. In the event of a tie vote the Chair shall have a casting and final vote.

The Trust Board fully reserves its right to reverse or substitute any decisions taken by the committee.

Responsibilities and Powers

1. To inform the Finance, Personnel and Admissions Committee on decisions regarding the Head Teacher's pay following a performance management review.
2. To agree the Head Teacher's objectives with the Head Teacher and the School Improvement Partner.

3. To hold an appraisal interview at the end of the review cycle with the Head Teacher and the School Improvement Partner to review the Head Teacher's performance and to set new targets.
4. Produce a written appraisal statement within 10 days of the appraisal meeting. This may, on request, be produced by the School Improvement Partner.

Approved by the Full Trust Board, 26th June 2024

Terms of reference:

Membership

The Trust Board has the exclusive power to appoint the members of this committee. In the event that an urgent appointment is required the Chair of Trustees (or the Vice-Chair in the Chair's absence) may make the appointment and report this back to the Trust Board for scrutiny.

The current members of this committee as appointed by the Trust Board are:

Matina Tsalavouta: Chair (Trustee)
Paula Glassey (Trustee)
Sian Graham (Trustee)
Kate Hodgkiss (Trustee)
Robert Smith (Trustee)
Sara Thomas (Trustee)

Associated Staff

Claire Fletcher (Business Director and Chief Finance Officer)

Clerk

The committee shall be clerked by the Clerk to the Trust Board. In the event the Clerk is not available at the time of a committee meeting, a member of the committee as approved by those present may clerk the meeting, but they must not make decisions. If this means the meeting is not quorate, the meeting will be rearranged.

Chair

The Chair of this committee will be appointed by the Trust Board, and only a Trustee may be eligible to serve as Chair. The Trustees fully reserve the right to approve or remove the appointed Chair for whatever reason they so determine.

Quorum

The Trustees have set the quorum for decision making at committee level to be at least three committee members, the majority of which (two) must be Trustees. In the event that a quorum is not present, the meeting must be adjourned and reconvened at the next available date by the Clerk.

Voting

Decisions will be made on a simple majority vote of the members present. In the event of a tie vote the Chair shall have a casting and final vote.

The Trust Board fully reserves its right to reverse or substitute any decisions taken by the committee.

Responsibilities and Powers

1. To establish and review and approve the Financial, Personnel and Admissions policies for adoption by the school, unless they are delegated to the Headteacher.

2. In consultation with the Headteacher, to recommend the first formal budget plan of the financial year to the Board for approval.
3. To establish and maintain an up to date 3 year financial plan for approval by the Board.
4. To receive feedback from Chairs of any other committees regarding financial decisions taken which are to be incorporated into the budget plan.
5. To consider information on financial performance at least termly and to report significant anomalies from the anticipated position to the Board.
6. To ensure the School operates within the requirements of the Academy Trust Handbook and Funding Agreement which sets out the financial relationship between the Education Funding Agency and the Academy Trust.
7. To ensure that the School's systems give value for money at all times and that decision making is fair and equitable.
8. To approve all items above the Headteacher's delegated limits and report these in retrospect to the Board
9. To report to the Board in respect of any decisions taken.
10. To monitor staff attendance.
11. To draft and keep under review the staffing structure in consultation with the Head Teacher.
12. To oversee the process leading to staff reductions if required.
13. To delegate permanent and temporary recruitment and selection decisions up to and including Assistant Head Teachers to the Head Teacher.
14. To make decisions with regard to the operation of the school's adopted Whole School Pay Policy.
15. To discuss and approve appraisal pay progression for all teaching staff except the Head Teacher.
16. To review staff salaries as required by the Pay and Conditions documents.
17. To consider the academy trust's compliance with its legal obligations as an admissions authority.
18. To review any proposed changes to, and to determine, the admission arrangements on an annual basis, by 28 February every year.
19. To carry out a consultation on the school's admission arrangements and policy every 7 years (or appoint a sub-committee to carry out that function with a smaller number of trustees / committee members).
20. To ensure that effective independent appeal arrangements are in place.
21. The Chair to advise and determine any issues arising out of late or in-year applications and entitlement to an appeal.
22. To review, each term, the areas of the Risk Register that align with the committee's areas of responsibility and report any findings/make any recommendations to the Full Trust Board
23. The committee shall have the power to create sub-committees with such membership as the committee members so determines to be appropriate for its terms of reference
24. To review the terms of reference of this committee annually.
25. To meet up to three times per academic year.

Withdrawal required:-

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

Approved by the Full Trust Board 26th June 2024

Terms of reference:

Membership

The Trust Board has the exclusive power to appoint the members of this committee. In the event that an urgent appointment is required the Chair of Trustees (or the Vice-Chair in the Chair's absence) may make the appointment and report this back to the Trust Board for scrutiny.

The current members of this committee as appointed by the Trust Board are:

Terence Conchie: Chair (Trustee)
Sian Graham (Trustee)
Kate Hodgkiss (Trustee)
Andy Keen (Trustee)
David Kirkman (Trustee)
Alvin Kofi (Trustee)
Ann Parry (Trustee)
Susan Poynton (Trustee)

Associated School Staff

Erica Briscoe (Director of Data and Information)
Mike Thomas (Deputy Headteacher)
Sue Wilkinson (Deputy Headteacher)

Clerk

The committee shall be clerked by the Clerk to the Trust Board. In the event the Clerk is not available at the time of a committee meeting, a member of the committee as approved by those present may clerk the meeting, but must not make decisions. If this means that the meeting is not quorate, the meeting will be rearranged.

Chair

The Chair of this committee will be appointed by the Trust Board, and only a trustee may be eligible to serve as Chair. The Trustees fully reserve the right to approve or remove the appointed Chair for whatever reason they so determine.

Quorum

The Trustees have set the quorum for decision making at committee level to be at least three committee members, the majority of which (two) must be Trustees. In the event that a quorum is not present, the meeting must be adjourned and reconvened at the next available date by the Clerk.

Voting

Decisions will be made on a simple majority vote of the members present. In the event of a tie vote the Chair shall have a casting and final vote.

The Trust Board fully reserves its right to reverse or substitute any decisions taken by the committee.

Responsibilities and Powers

1. To consider and advise the Board on standards and other matters relating to the school's curriculum, including statutory requirements and the school's Curriculum Policy.

2. To provide and support curriculum development as set out in the Whole School Improvement Plan.
- To have oversight of the Whole School Improvement Plan
- To receive reports on and evaluate progress towards planned actions
- To receive and evaluate monitoring and data reports from the Senior Leadership Team for all pupils and groups of pupils including, but not limited to:
 - Safeguarding; Attendance; Progress/Achievement/Attainment
- To commission support from School Improvement Liverpool or other external agencies as required
3. To consider curricular issues which have implications for Finance and Personnel decisions and to make recommendations to the Finance, Personnel and Admissions Committee or the Board.
4. To oversee arrangements for individual trustees to take a leading role in specific areas of provision, eg SEN, LAC, Safeguarding etc. To receive regular reports from them and advise the Board.
5. To review any curriculum and pastoral policies, unless their review has been delegated to the Headteacher.
6. To review and advise the Board on testing and assessment procedures and arrangements for reporting to parents.
7. For a named trustee to meet termly with the designated Safeguarding/Child protection Co-ordinator and report to the Board.
8. To ensure that both an admissions register and attendance register are kept at the school and that they are held for three years from the date they were last used. Trustees must be told about pupils who do not attend regularly or are absent for long periods of time.
9. To ensure that for all items above the Headteacher's delegated limits, recommendation is made to the Board for approval.
10. To report to the Board in respect of any decisions taken.
11. To review, each term, the areas of the Risk Register that align with the committee's areas of responsibility and report any findings/make any recommendations to the Full Trust Board
12. To review the terms of reference of this committee annually.
13. To meet up to three times per academic year.

Approved by the Full Trust Board 26th June 2024

Terms of reference:

Membership

The membership of the committee shall consist of members of the Trust Board and independent individuals with governance experience appointed on an ad-hoc basis with the agreement of the Chair of Trustees.

Membership of the committee shall be constituted on an ad hoc basis when the need for a pupil disciplinary committee arises comprising of at least two and no more than three.

Clerk

The committee shall be clerked by the Clerk to the Trust Board. In the event the Clerk is not available at the time of a committee meeting, an individual with prior experience clerking an Exclusion Review Committee may be appointed.

The Clerk will:

- Arrange the committee to be held at a time and date convenient for all parties but within 15 days of the exclusion/suspension being issued.
- Collate written evidence and submissions and circulate this along with a list of everyone who will be present to all parties.
- Manage the Exclusion Review Committee on the day of the hearing, including ensuring that the committee members are not left alone with either the headteacher or the parents.
- Take clear and accurate minutes of the meeting.
- After the Exclusion Review Committee, write to the parents, headteacher and local authority with the outcome of the hearing.
- Seek advice from professional advisors on process and to support the committee members as and when required.

Chair

The Chair of this committee will be appointed by the committee on the day of the hearing by a simple majority vote of the members.

Quorum

The Trustees have set the ordinary quorum for this committee to be at least two trustees. In the event that a quorum is not present, the meeting must be adjourned and reconvened at the next available date by the Clerk.

Urgent decisions

Reviews of permanent exclusions or suspensions which are required to be undertaken urgently as envisaged by the Department for Education's statutory guidance on exclusions (as amended) may be undertaken by the Chair of Trustees alone. In the absence of the Chair of Trustees, the Vice-Chair may undertake the review. In the event neither the Chair of Trustees or Vice-Chair are able to undertake the urgent review, the Chair of the Audit and Risk committee can undertake the review.

Voting

Decisions (on non-urgent reviews) will be made on a simple majority vote of the members present. In the event of a tie vote the Chair shall have a casting and final vote.

Responsibilities and Powers

1. To review suspension or permanent exclusion issued by the Headteacher as required by law.
2. To convene a meeting to undertake a review and to operate it in accordance with the Department for Education's statutory guidance on exclusions (as amended) insofar as it applies to an academy.
3. At the conclusion of the review to determine whether to reinstate a pupil immediately or at a date to be specified, or to uphold the Headteacher's decision.

Approved by the Full Trust Board 26th June 2024