



# KING EDWARD VI EDUCATION TRUST

HOLISTIC, ACADEMIC, EDUCATION

## Terms of Reference and Scheme of Delegation

# Governance Structure Overview

## Members

Margaret Johnson  
 Andrew Harrison  
 Rector of St James Church  
 Warden of the Foundation  
 High Sherriff of Louth [TBC]

The Members are responsible for the ethos of The Trust and the Trust Articles of Association, meet once per year at the AGM to appoint the Trust auditors and approve the annual accounts. Members may attend any Trustee meeting.

## Trustees/Governors/Trustees

Full Governors	Strategy	Finance, Audit & Estates	C&S	ECM
<b>Mr Chesman (Chair) [Foundation]</b>	Rector of St James	<b>Mr Crombleholme [Chair]</b>	<b>Mr Maltman (Chair)</b>	<b>Miss Jay (Chair)</b>
<b>Mr Maltman (VC) [Foundation]</b>	Mr Chesman	<b>Vacant</b>	<b>Mr Sturman (VC)</b>	<b>Mrs Dunning (VC)</b>
Dr Bailey [P]	Mr Crombleholme	Mr Chesman	Dr Bailey	Dr Bailey
Rector of St James	Miss Jay	Dr Cutting (SG)	Dr Cutting	Rector of St James
Mr Crombleholme [F]	Mr Maltman	Miss Jay	Mrs Dunning	Mr Chesman
Dr Cutting (SG)	Mr Lascelles [HM&CEO]	Mr Maltman	Lord Norton	Mr Crombleholme
Mrs P Vintner [SG]		Mr Sturman	Mr Lascelles (HM)	Lord Norton
Mrs Dunning [P]		Mr Lascelles (HM)	Mr Hunkin (DH)	Mr Lascelles (HM)
Miss Jay [P]		Mrs Mowbray (FD)	Mrs Sanderson (CS)	Mrs Reeve (DH)
Lord Norton		Mr Sopp (FM)		Mr Robertson (DH)
Mr Sturman (P)				
Mrs Wright (P)				
Mr Lascelles (HM&CEO)				
Mrs Mowbray, FD & Company Secretary*				
Mr Hunkin [DH]				
Mr Robertson (DH)				
Mrs Reeve [DH]				
Mrs Elaine Sanderson [CS]				

F = Foundation Governor

P = Parent Governor

\*=includes Clerk

CS = Chair of Staffroom Committee & Governor

SG = Staff Governor

DH = Deputy Head

# Overarching Ethos

The overriding goal of the Trust is to ensure that King Edward VI Grammar School becomes the local school of choice for academically able children in East & West Lindsey and N.E.Lincolnshire. Although originally established as a MAT the Trustees resolved to operate as a SAT from 1<sup>st</sup> September 2020 onwards and to end any MAT ambitions.

*Where the word Trust is referred to or King Edward VI Education Trust or KEVIET then this should be taken to apply to King Edward VI Grammar School or Single Academy Trust.*

**The Trust has three core goals:**

## **Holistic**

Holistic refers to the wider pastoral; personal development and overall emotional and spiritual wellbeing of the members of our community - students and staff. It is a central part of the Trust's ambition to be a beacon school for well-being; spirituality and holistic education.

## **Academic**

Ultimately King Edward's is a selective grammar school and an academic community. We pride ourselves on high expectations and the implementation of high standards in a liberal, progressive and modern grammar school setting.

## **Education**

Education not instruction or training. We are interested primarily in proper education and we aim to achieve this through an academically enriched curriculum that is complemented by a broad extra-curricular offer that provides our students and staff with opportunities for leadership; teamwork combined with growth and personal development in these areas.

**The Board of Trustees recognises the following documents as 'The Trinity'**

1. The Trust's Academy Articles of Association 1<sup>st</sup> September 2015 as the core operating framework for the Trust.

**And adopts in full including all recommendations and guidance**

2. The Department for Education's Governance Handbook

**And**

3. The Academies Financial Handbook

Together the Trinity provides the legal operating framework for the Trust and they are provided as the authoritative source for the resolution of procedural and operational confusion or conflict.

*The following Terms of reference are based upon the requirements laid down in the documents above.*

# Section 1: Full Board TOR

## 1.0 Key Terms of Reference: KEVIET Full Board

1.1 To monitor progress towards the development of the Trust through its triennial Growth Strategy and implementation of this via the annual School Action Plan; reviewing these on an annual basis once ratified. This includes the requirement to plan and deploy appropriate Trust departmental improvement support strategies and interventions as part of the annual School Action Plan to raise both attainment and progress.

**Delegated to: Strategy Group**

1.2 To receive and review any designated Trust policies and strategies for curriculum, teaching, learning and assessment policies as appropriate including the monitoring of the progress, attainment and achievement of Trust students ensuring that the targets set in any plans have the potential to raise academic standards.

**Delegated to: Curriculum and Standards Committee**

1.3 Ensure that student welfare, safeguarding and overall emotional resilience and holistic prosperity is placed front and centre in any school planning and that policies are implemented to support the overall personal development and growth of students towards independence. This includes ensuring that no discrimination on the grounds of sex, race, disability, sexual orientation, religion or belief occurs against any student either current or those who might apply for entry.

**Delegated to: Every Child Matters Committee**

1.4 To receive, scrutinise and review the Trust's financial plans making decisions to ensure the overall financial viability of the Trust and to ensure that the Trust is compliant with the EFSA Financial Handbook and other relevant legislation and that the Trust provides value for money to students to ensure that spending directly benefits education.

**Delegated to: Finance, Audit and Estates Committee**

1.5 The Trust Board receive reports and recommendations termly from each committee by way of the committees minutes and verbal feedback to each board meeting.

1.6 The Trust Board will review and agree these Terms of Reference annually.

## Section 2: General TORs for all Committees

### 2.0 General Terms of Reference and Composition: All Committees.

- 2.1 The Chair and Deputy of each committee is elected annually by the whole Board in September.
- 2.2 No persons employed by the Trust will act as the Chair of a committee with the exception of the Strategy Committee which is led by the Headmaster/CEO.
- 2.3 The numbers required for each committee will be the total number of Trustees divided by the total number of committees excluding the strategy committee which is made up of the chairs of each sub committee and the chair of governors: the quorum for each meeting will be 3 Trustees – excluding the CEO/Headmaster.
- 2.4 Each committee is authorised to invite attendance at its meetings from persons including parents and members of the Academies staff who are not members of the Board, to assist or advise on a particular matter or range of issues: a Deputy Head and/or other senior leader will be assigned to each relevant committee as determined by the Headmaster. Only Trustees have voting rights.
- 2.5 The Committees will operate within their area of delegation as identified in 1.0 above.
- 2.6 The Full Board; Finance, Audit and Estates Committee and Pay and Personnel Committee must all be formally minuted, and clerked.
- 2.7 The remaining committees will appoint a note taker to record key decisions and actions: including identifying areas of challenge.
- 2.8 All Committees will use the agreed templates for the Agenda and for the recording of Minutes.
- 2.9 Committees will meet on a minimum of 4 occasions per year: more where required e.g. Finance, Audit and Estates.
- 2.10 Attendance at the committee may be virtual or in person.
- 2.11 Apologies should be given in advance of the meeting to either the Chair or Clerk of the Committee

*In all other matters where further procedural guidance is required than the Trinity should be consulted.*

# Section 3. Finance, Estates & Audit Committee

## 3.2 Timing

Meetings will be held as per the agreed calendar but additional meetings will be held if required. The meeting held at the end of the summer term will ratify the budget for the period of September to August, prior to approval by the Board of Trustees. The meeting held in November / December will approve the audited year end accounts, financial statements and accounting policies. These will be ratified by the Board prior to submission to the Secretary of State (by 31 December) and filed with Companies House and the Charity Commission within stated timescales.

## 3.3 Functions

### Finance

1. To lead the development of financial strategic plans and provide leadership on financial issues.
2. To consider the Academies' annual indicative funding (as notified by DfE) and assess the implications for KEVIET, in advance of the academic / financial year. Any matters of significance should be drawn to the attention of the Board.
3. To agree and make recommendations to the Board on the broad budget headings and areas of expenditure to be adopted each year.
4. To receive the Academies' proposed annual budget from the Finance Director, consider and recommend the acceptance/non acceptance to the Board of Trustees at the start of each academic / financial year. This should include the level and use of contingency funds or balances.
5. To receive, consider and approve (or reject) quarterly budget reports; including virement requests; major variance reports; staffing costs; allocation of curriculum development costs and forecast operational costs. Submit quarterly overview report to the Board of Trustees, highlighting any specific concerns as required.
6. To receive copies of KEVIET Growth Strategy and Annual Action Plan (and any subsequent updates) and review the financial implication of these. The plans should include detailed objectives, costs and success criteria for measuring success for the coming academic year and outline objectives for the following three years.
7. To annually review and approve the financial procedures policy, ensuring that all the requirements of the Academies Financial Handbook are met/ Report amendments to the Board, as required.
8. To monitor and review financial operation procedures to ensure effective implementation and operation, including progress against the "Financial Imperatives" and, where appropriate, to make recommendations for improvement.
9. To consider financial benchmarking and consider how financial performance could be improved.
10. To provide relevant financial information to other KEVIET Committees as required by them to make decisions on issues within their delegation.
11. To consider and approve (or reject) declaration of Earmarked Funds and Reserve Spend requests.
12. To consider and give outline approval (or reject) KEVIET purchases greater than £60,000.

13. To prepare the financial statement to form part of the Annual report of the Board of Trustees, for filing in accordance with the Companies Act and the Charity commission requirements.
14. To ensure that the Board has considered, signed and published a Statement of Internal Control and Best Value Statement.
15. To approve annual accounts of the School Funds.
16. To ensure adequate insurance cover is in place to support all responsibilities such as employers' liability, fidelity, building, Director's indemnity, public liability insurance etc.
17. To receive Audit reports and agree a plan for implementation.
18. To review the KEVIET risk register document on a regular basis.
19. To authorise (or refuse) requests in writing to EFA for disposal of an asset(s) in excess of £20,000 in line with Financial Procedures.
20. To agree policy for Governors expense allowances.
21. Review annually the Trusts' policies on fraud and whistle-blowing.
22. Consider (and approve) the Trust's charging and remissions policies/
23. To review these functions annually and propose any amendments to the Board.

### **Personnel Functions**

1. Ensure that procedures are in place (and approved) via annual review and adaptation of the Trust's HR Handbook:
  - Pay Policies and all other related Pay and HR Policies
  - Employee Engagement and Employee relations Policies
  - Recruitment (including references and police checks);
  - Performance appraisal and review;
  - Equal opportunities;
  - Disciplinary (including absence policies);
  - Grievance;

*Performance Management of the Headmaster will be undertaken by the Board's Headmaster review panel consisting of the Chair, Vice Chair and Chair of Finance.*

To review these functions annually and propose any amendments to the Board.

# Staffing Committee on Pay

1. Within KEVIET the Finance Committee and/or a sub-group of such is designated as the Staffing Committee on Pay.
2. This committee shall consider and decide upon all matters relating to staff pay as part of the annual review process in accordance with the Trust Pay Policy agreed by the Board of Trustees.
3. The Committee shall consist of a minimum of two members of the Finance Committee. It will be chaired by the Chairperson of the Finance Committee.
4. The Committee shall be quorate only when at least two Trustees nominated to serve on the Committee are in attendance. The Committee will convene at least twice a year:
  - i) In July to determine the annual pay scales.
  - ii) And to consider and approve the projected staff establishment for the forthcoming academic year (as included in the projected budget)
  - iii) In the Autumn Term before 1<sup>st</sup> December to consider any issues relating to pay and performance management awards.

Additional meetings may be arranged if deemed necessary by the Chairperson of the Committee or the trust CEO. The Headmaster has the right to attend all meetings of the Committee but will withdraw when the Committee consider the pay of the Headmaster. The Committee will seek the advice of the Headmaster as required in respect of the exercise of any discretionary payments and in particular:

- (a) for teaching staff, performance-related pay awards on the main pay scale and UPS pay scale;
- (b) for teaching staff, the award of teaching and learning responsibility payments, special needs allowances and incentives for recruitment and retention;
- (c) the award of any exceptional points resulting from performance review;
- (d) for members of the leadership group, any points resulting from performance review, taking into account the advice of the Heads of School in respect of Executive Staff and the Trustees responsible for the performance review of the Heads of School;
- (e) for support staff, the award of accelerated increments, honorarium payments, & job evaluation

6. In reaching decisions in respect of pay, the Committee shall have regard to:
  - (a) the advice of the Headmaster and/or the relevant appraiser;
  - (b) the implications of national pay decisions and the relevant legislation (Such as The Employment Relations Act 1999; The Equality Act 2010; the Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000; The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002; and the standards for openness and objectivity in public life.
  - (c) Similar market / sector salaries paid in other broadly equivalent schools; where necessary the Committee shall seek the advice of its HR Support Provider.
7. Members of the Staffing Committee on Pay shall not serve on any committee appointed by the Trustees to hear an appeal from a member of staff against the decisions made by the Committee.
8. A separate group of three Trustees from the Finance Committee will form the Pay Appeals Committee whose role will be to hear any appeals brought before them.
9. The Appeal will be heard by three Trustees and they may ask for the member of staff, and the Headmaster to give verbal evidence to the panel to support the appeal: if this is necessary.



## **Section 4. Audit Committee** [Meets as part of Finance, Audit and Estates Committee]

Board members who are not members of the Audit Committee will have the right of attendance, but will not be able to vote. The Clerk will circulate minutes of meetings of the Audit Committee to all members of the Board.

### **4.2 Timing**

Meetings shall be held twice per year but additional meetings will be held if required. The external auditor may request a meeting, if considered necessary. Other meetings of the Audit Committees will be held as required by the trust, or Chair of the committee. The External Auditor will attend as and when required.

### **4.3 Functions**

The Audit Committee is authorised by the Board to investigate any activity within its terms of reference, and to seek any information it requires from staff. Staff are requested to co-operate with the Committee in the conduct of its inquiries. Requests for work, and reports received from internal audit will be channelled through the accounting officer, to whom the Director of Finance reports. The Audit Committee is authorised to obtain independent professional advice if it considers this necessary.

The specific duties of the Committee shall be to:

1. Review the Academies' internal and external financial statements and reports to ensure that they reflect best practice.
2. Review the risks to internal financial control of the Academy Trust and establish a programme of work to address these risks, inform the statement of internal control and, so far as is possible, provide assurance to external auditors.
3. Review the effectiveness of the Academy Trust's internal control system to ensure that the aims, objectives and key performance targets of the organisation are achieved.
4. Ensure that the Academy Trust internal control systems meet, or exceeds, the standards specified in the Government Academies Financial Handbook and complies in all other respects with these guidelines.
5. Ensure the Academy Trust is independently audited by an approved registered auditor.
6. Recommend to the Board the appointment (or reappointment) of the KEVIET auditors, as required.
7. Ensure a copy of the auditor's letter of engagement is submitted to DfE with the annual accounts and Management Letter.
8. Respond to the Auditor's Management Letter and inform the Board of any significant issues.
9. Consider internal reports, including the Auditor's report (which includes RO function) and recommend to the Finance Committee / Board action as appropriate to respond to findings.
10. Review the operation of the Trust's code of practice for Board members and code of conduct for staff.
11. Review annually the Trusts' delegation of financial responsibilities.
12. Consider any other matters where requested to do so by the Board.
13. Report at least once a year to the Board on the discharge of the above duties as required.
14. To review these functions annually and propose any amendments to the Board.

## Section 5 Estate Committee

The Trust's Estate Committee meets as part of the Finance, Estates and Audit Committee and is charged with:

- 1: Review annually the Trust's Health & Safety policy, ensuring it meets all requirements of relevant legislation.
2. Oversee Health & Safety issues to ensure compliance with KEVIET policy. Receive Health & Safety reports from the H&S Committee and recommend action to the Board as required.
3. Review, as part of the above but also as part of the broader management of the school's estates:
  - a. Facilities Manager's report on the school's estates; H&S matters and general maintenance matters of concern.
  - b. To act as the 'Tender' Board for bids under the Finance Policies and Procedures Handbook for estate related bids and all other Tender Bids in the school.
  - c. To review the Trust's Estates Development Plan, agreeing areas for improvement and working with the Headmaster, Finance Director and Facilities Manager to identify funding opportunities.
  - d. To delegate the approval of actions relating to largescale key projects to the Strategy Group to maintain oversight, review and approval of various contractual or procedural matters.
5. To receive the Facilities Managers each quarter.
6. To make recommendations to the board/strategy group in relation to the school's estates.
7. To review these terms annually making changes as required.

## **Section 5: Additional Committees and Key TOR**

### **5.0 Every Child Matters**

5.1 Staff Members - Deputy Head Pastoral & Deputy Head Intervention & Chair of Common Room

5.2 Areas of Oversight and Policy Development:

1. Admissions Policy;
2. Behaviour Policy and Exclusions;
3. Uniform;
4. Safeguarding;
5. Welfare [Students & Staff]
6. SEND/PP Matters
7. To receive termly reports on Pastoral Standards from the Deputy Heads

5.3 Relevant section of the School Annual Action Plan inc. Growth Strategy Implementation Plan.

5.4 To review the above annually.

### **6.0 Curriculum and Standards**

6.1 Staff Members - Deputy Head Academic & Director of Standards and Director of Curriculum

6.2 All aspects of Curriculum Intent; Implementation and Impact.

6.3 Enrichment

6.4 School Annual Action Plan inc. Growth Strategy Implementation Plan.

6.5 To receive termly reports from:

Deputy Head Academic - Curriculum Impact - Attainment and Achievement Measures

Curriculum Director - Curriculum Intent & Implementation via Quality Assurance Process

Director of Standards - CPD/Training and Performance Management/Dept. Intervention Strategies.

6.6 Relevant section of the School Annual Action Plan inc. Growth Strategy Implementation Plan.

6.7 To review the above annually

### **7.0 Strategy & Projects**

7.1 Members - Chairs of Subcommittees; CEO and Chair of Governors

7.2 Triennial Consultation Process and Growth Strategy

7.3 Oversight and approval of Estate Development & Building Projects

7.4 All other Strategic Matters as determined by the Chair and Headmaster.

# Annex A

## Trust Scheme of Delegation

Key:

Level 1: Academy Trust (Members)

Level 2: Governors/Trustees (Directors)

Level 3: A committee of the Board of Governors/Trustees (Directors)

Level 4: The Accounting Officer (Headteacher)

Column blank: Action can be undertaken at the level

Column shaded: Function cannot legally be carried out at this level

Key function	No	Task	Decision level			
			1	2	3	4
Budgets & Accounts	1	Approve budget plan for financial year		√		
	2	Monitor monthly expenditure				√
	3	Establish charges & remissions policy			√	
	4	To enter into contracts (refer to Financial Scheme of Delegation)		√	√	√
	5	Ensure academy annual accounts are prepared within the appointed time frame			√	
	6	To approve and submit the annual accounts		√		
	7	To receive the Annual Report and Accounts	√			
	8	Review annually and appoint the External Auditors	√	√		
	9	Review annually and appoint the Responsible Officer		√	√	
	10	Review annually and appoint the Internal Auditors		√	√	
Staffing	11	Headteacher appointments		√		
	12	Deputy Headteacher appointments		√		
	13	Teaching staff appointments				√
	14	Non-teaching staff appointments				√
	15	Pay policy		√		
	16	Establish and review procedure for addressing staff disciplinary, conduct and grievance			√	
	17	Dismissal of the Headteacher		√		
	18	Dismissal of other staff			√	√
	19	Suspension of the Headteacher		√		
	20	Suspension of other staff				√

Key function	No	Task	Decision level			
			1	2	3	4
	21	Ending suspension of the Headteacher		√		
	22	Ending the suspension of all other staff			√	√
	23	Determining staffing requirements			√	√
	24	Dismissal payments/early retirement			√	√
Curriculum	25	Establish and implement Curriculum Policy				√
	26	Approval of Curriculum Policy			√	
	27	Responsibility for standards of teaching				√
	28	Decide which subject options will be taught including activities outside the school day			√	√
	29	Responsibility for individual child's education				√
	30	Provision of sex education – includes establishing and maintaining an up to date policy				√
	31	To prohibit political indoctrination and ensuring a balanced treatment of political issues				√
Performance Management	32	Establish performance management policy and review annually		√	√	
	33	Implement the performance management policy				√
Target setting	34	Set and publish targets for student achievement				√
Discipline/Exclusions	35	Establish a discipline policy			√	√
	36	Review use of exclusion and decide whether or not to confirm permanent and fixed term exclusions where the student is either excluded for more than 15 days in total in a term or would lose the opportunity to sit a public examination (can be delegated to chair/vice chair in case of emergency)			√	
	37	Direct reinstatement of excluded students				√
Admissions	38	Consult annually before setting an Admissions Policy		√		
	39	Admissions: applications decisions (main round)		√	√	
Collective worship	40	Arrangements for collective worship				√
Premises & Insurance	41	Buildings insurance, personal liability & Governors' Indemnity Insurance			√	
	42	Develop academy building strategy			√	

Key function	No	Task	Decision level			
			1	2	3	4
	43	Procure & maintain buildings, including properly funded maintenance programme			√	
Health & Safety	44	Institute a Health & Safety policy		√		
	45	Ensure Health & Safety regulations are followed			√	
School organisation	44	Set times of academy day and dates of academy terms and holidays		√		√
	45	Ensure academy meets 380 sessions in a school year				√
	46	Ensure academy lunch nutritional standards are met				√
Information for parents	47	Prepare and publish the academy prospectus				√
	48	Ensure provision for free school meals to those students meeting the criteria				√
	49	Adopt and review home school agreements				√
GB procedures	50	Appoint (and remove) the chair and vice chair		√		
	51	Appoint (And dismiss) the clerk to the governors/trustees		√		
	52	Hold a full GB/BoT meeting at least 3 times in the academy year		√		
	53	Appoint (and remove) governors/trustees	√	√		
	54	Set up register of Governor/Trustees business interests		√		
	55	Approve and set up governor expenses scheme		√		
	56	Discharge duties in respect of students with special needs by appointing a 'responsible person'		√		
	57	Consider whether or not to delegate functions to individuals or committees		√		
	58	To delegate 'Chair's Action' to the Chair of Governors/Trustees		√		
	59	Regulate the GB/BoT procedures		√		
Multi-academy Trusts	60	To consider forming a MAT or joining an existing MAT	√	√		
	61	To consider requests from other schools to join the MAT	√	√		
	62	To leave a MAT	√	√		
Extended schools	63	Decide to offer additional activities & what form these should take				√

Key function	No	Task	Decision level			
			1	2	3	4
	64	Put in place and ensure delivery of services to be provided				√
	65	Cease providing extended school provision				√
Inclusion and equality	66	To establish and publish annually an 'Equality information and objectives statement' and review equality objectives every four years		√	√	
	67	To establish and review a special educational needs (SEN) and disability policy		√		
	68	To designated a 'responsible person' for Safeguarding		√		
	69	To designate a 'responsible person' for looked after children		√		
	70	To establish an accessibility plan and review it every three years			√	
	71	To establish and review annually a child protection policy and relevant procedure		√		