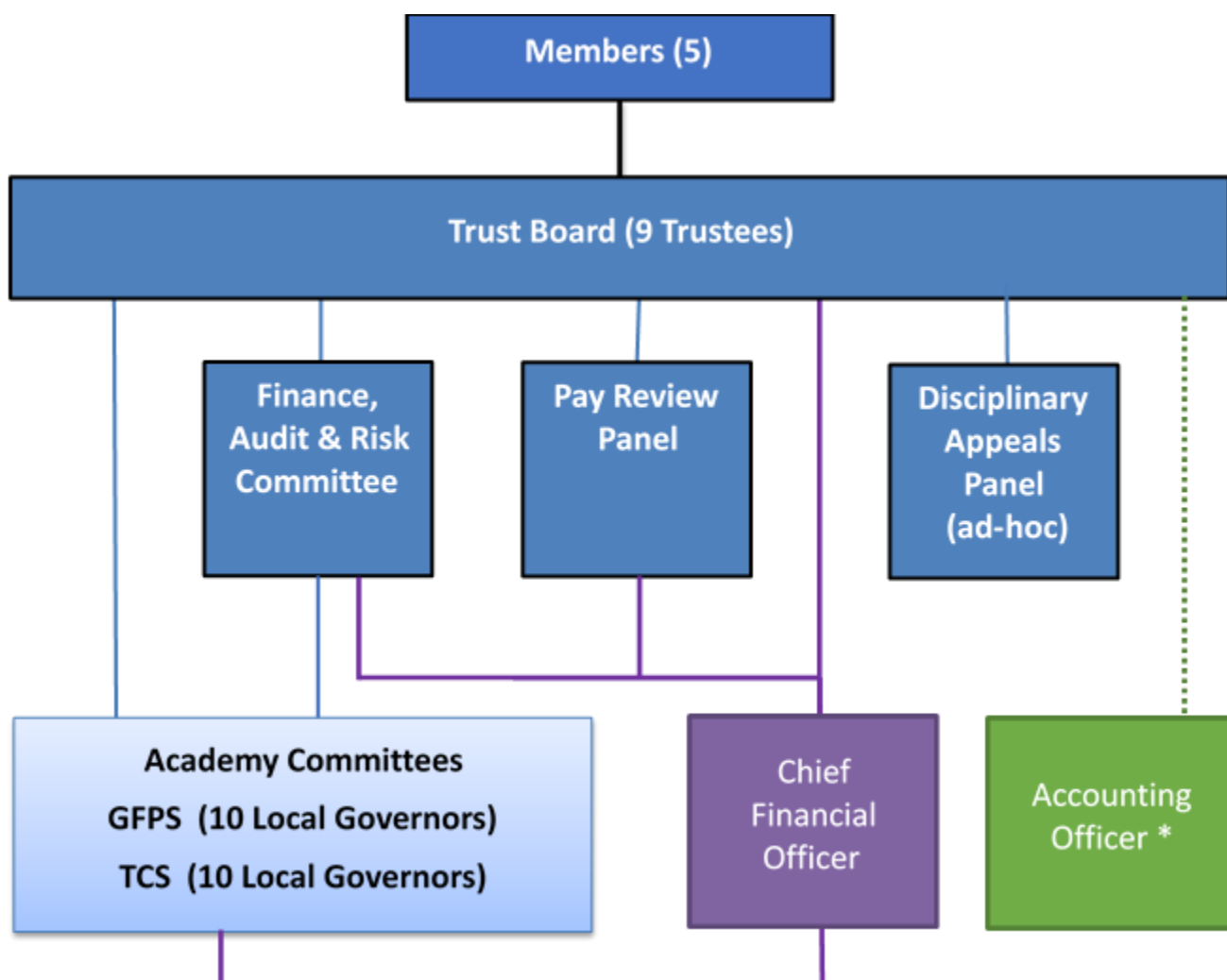
	<u>BERNWODE SCHOOLS TRUST</u>			<u>Written By:</u> Board of Trustees
	<u>Scheme of Delegation (for 'good' and 'outstanding' schools/academies)</u>			
	<u>Applicable to:</u> All Members, Trustees and Local Governors	<u>Accountable Officers:</u> Board of Trustees	<u>Date Reviewed:</u> Spring Term 2021	<u>Date To Be Reviewed:</u> Autumn Term 2022 (Annually)

Trust Structure



Bernwode Schools Trust

Comprised of 5 Members

Bernwode Schools Trust Board of Trustees

Comprised of 9 Trustees (who are also Directors under Company law). The role of Chief Accounting Officer is currently fulfilled by the Headteacher of The Cooper School, who reports into the Trust Board for that role.

Standing Committees (meet once per term, minimum):

1. Finance, Audit & Risk

Other Committees (meet once per year, or as required):

2. Pay Review Panel (for Trust Staff)
3. Disciplinary Appeals panel (for Trust Staff - Ad Hoc)
4. Complaint panel hearing (ad hoc)

The Finance and Audit & Risk committee is supported by the Chief Finance Officer

Academy Committee

One Academy Committee at each school rated 'Good' or 'Outstanding' by Ofsted, comprised of at least:

Local Governor Type	The Cooper School	Glory Farm Primary School
Headteacher (full voting rights)	1	1
Parent Governors	2	2
Staff Governors	2	2
Trust Appointed Governors	5	5
Trust Appointed link governor (non-voting)	1	1
TOTAL	10	10

Academy Committee meetings

Meetings of the full committee to be held:

- Twice in the Autumn term
- Once each in the Spring and summer terms

Sub-Committees of the Academy Committees

Meetings once per term:

- Pupil performance / curriculum
- Finance and risk

Panels of the academy committees

- Headteacher Performance Management. Meets in the Autumn term
- Pay Review panel. Reviews pay of all staff members except the Headteacher. Meets in the Autumn term
- Headteacher performance management mid-year review. Meets in the Spring term.

Ad hoc meetings of sub-Committees and panels

Meet as necessary:

- Complaint panel hearing
- Staff Disciplinary panel
- Staff grievance panel

Scheme of Delegation

1. Introduction

- 1.1 This Scheme of Delegation (the "**Scheme**") has been made by the Trustees (the "**Trustees**") of Bernwode Schools Trust (the "**Academy Trust**") in exercise of the powers conferred on them by Articles 105 and 137 of the Academy Trust's articles of association (the "**Articles**").
- 1.2 The purpose of the Scheme is to set out a framework under which the Academy Trust is governed and managed, and in particular:
 - 1.2.1 how the Trustees work together effectively;
 - 1.2.2 the relationship between the Trustees, the Academy Committees and the Members; and
 - 1.2.3 how the Trustees ensure compliance with the various legal and regulatory requirements placed on them.
- 1.3 This Scheme shall be reviewed by the Trustees annually, and in the context of such a review, the Trustees shall have regard to any new legislation or guidance affecting the provisions of these documents.
- 1.4 This Scheme may be altered, added to or repealed at any time by a majority resolution of the Trustees of the Academy Trust in a general meeting, in respect of all or any of the Academies in the Academy Trust.
- 1.5 A copy of this Scheme shall be made available to the Members of the Academy Trust, every Trustee, the Accounting Officer, each Local Governor, the Headteachers of the Academies operated by the Academy Trust, the Chief Financial Officer, and the Secretary to the Trust now and in the future on appointment.

2. The Academy Trust

- 2.1 The Academy Trust is responsible for The Cooper School and Glory Farm Primary School and for any schools that join the Academy Trust in the future (the "**Academies**").
- 2.2 The Academy Trust has entered into a Master Funding Agreement and separate Supplemental Funding agreements for each Academy under the Academies Act 2010 with the Secretary of State for Education in relation to the funding of the Academies (together, the "**Funding Agreement**").
- 2.3 The Funding Agreement places a number of requirements on the Academy Trust including the requirement to comply with the Department for Education's ("**DfE**") Academies Financial Handbook (the "**Handbook**").
- 2.4 There are a number of roles involved in the running of any Multi-Academy Trust and these are as follows:
 - 2.4.1 The Members;
 - 2.4.2 The Trustees;
 - 2.4.3 The Accounting Officer – currently the Headteacher of The Cooper School;
 - 2.4.4 The Academy Committees: each Academy has a Committee formed by the Trustees as a committee of the Trustees. The members of the Academy Committees are called "**Local Governors**";
 - 2.4.5 The Headteacher of each Academy who has responsibility for the day to day running of that Academy;
 - 2.4.6 The Chief Financial Officer ("**CFO**");

3. Members

3.1 The role of the Members

- 3.1.1 The Members are members of the Academy Trust for the purposes of the Companies Acts.
- 3.1.2 In simple terms, the Members 'own' the Academy Trust. They have a number of statutory rights, including the right to remove Trustees, the right to amend the Articles and the right to receive the annual accounts. They also have the right to appoint up to nine Trustees under the Articles.
- 3.1.3 The Members do not have any specific duties imposed on them but they are required to provide a guarantee that if the Academy Trust is wound up and its assets do not meet all of its liabilities, they will contribute £10.
- 3.1.4 The Members will usually meet once a year at the Annual General Meeting, or they may meet as and when required (for example if any amendments to the Articles are required).

3.2 The appointment of the Members

- 3.2.1 Members are appointed in accordance with Articles 12 to 18 of the Articles.
- 3.2.2 On appointment, all Members shall be required to complete a consent to be a member form (attached at Appendix 1). The Secretary shall update the register of Members as appropriate. Companies House does not need to be notified of appointments or removals/resignations of Members.

4. Trustees

4.1 Capacity of Trustees

- 4.1.1 Each Trustee is:
 - (a) a Director of the Academy Trust under company law. The Trustees are responsible for the governance and supervision of the Academy Trust and its committees (including Academy Committees) and executives (including Headteachers); and
 - (b) a charity trustee with responsibility for protection of the assets of the Academy Trust.

4.1.2 The Trustees manage the affairs of the Academy Trust and are responsible for its day-to-day operation.

4.2 The appointment of Trustees

- 4.2.1 The Trustees shall be appointed in accordance with Articles 45 to 80 of the Articles.
- 4.2.2 On appointment, all Trustees shall be required to:
 - (a) complete a Trustee declaration (attached at Appendix 2);
 - (b) complete the necessary forms for onward submission to Companies House by the Secretary (either in paper form or electronically).
- 4.2.3 The Secretary shall update the register of Trustees in the statutory books.

4.3 Constitution of the Board of Trustees (the "**Board**")

- 4.3.1 The constitution of the Board is as follows:
 - (a) up to nine Trustees appointed by Members;
- 4.3.2 In accordance with the Articles, the Trustees shall elect a Chairman and Vice-Chairman from among their number each academic year.

4.4 Meetings of the Board

4.4.1 The Trustees shall hold at least three meetings in every school year. Meeting dates and times for the year will be agreed by the Trustees and published at the beginning of each academic year.

4.4.2 All meetings of the Trustees shall be convened by the Secretary and conducted as provided by the Articles.

4.4.3 In consultation with the Chairman the Secretary shall prepare an annual plan for the meetings of the Trustees, to be approved by the Board.

4.5 Accountability of Trustees

4.5.1 The Trustees are chiefly accountable to:

- (a) the beneficiaries of the Academy Trust (pupils at the Academies and their parents/carers) and to the local community for the quality of education and pastoral care at the Academies, for matters of health and safety and for safeguarding and promoting the welfare of the pupils;
- (b) the Department for Education (DfE), the Education and Skills Funding Agency (ESFA) and specifically the Secretary of State for Education under the terms of the Funding Agreement;
- (c) the Secretary of State (in their role as principal regulator in respect of charity matters) for operating the Academy Trust for the public benefit, for the prudent management of the Academy Trust and its financial efficiency, and for compliance with legislation including charities legislation;
- (d) the employees of the Academy Trust for their working environment, and for compliance with the contract of employment and employment law requirements and matters of health and safety; and
- (e) other regulatory authorities for compliance with regulated responsibilities to which the Academy Trust and the Academies are subject.

4.6 Powers, functions and responsibilities of Trustees

4.6.1 The business of the Academy Trust shall be managed by the Trustees, fulfilling a largely strategic role, who may exercise all of the powers of the Academy Trust, as set out in the Articles.

4.6.2 The Trustees shall set the strategic direction and vision of the Academy Trust. The Trustees shall ensure that each Academy within the Trust aligns its own direction and vision with that of the Trust.

4.6.3 As Trustees of the company and charity trustees, the Trustees have a number of duties as responsibilities towards the management of the Academy Trust and its finances. In summary, the Trustees are responsible for:

- (a) carrying on the Academy Trust in accordance with the objects of the Academy Trust as set out in the Articles, and safeguarding its assets;
- (b) directing the education, pastoral care, financial and other policies of the Academies in accordance with the Articles and the Funding Agreement (including the Handbook);
- (c) ensuring sound management and administration of the Academy Trust, and ensuring that leadership staff are equipped with the relevant skills and guidance;
- (d) financial controls and the financial management of the Academy Trust in accordance with the provisions of the Handbook, which sets out in detail provisions for the financial management of each Academy including guidance on financial systems and controls and accounting and reporting requirements;
- (e) setting standards of conduct and values, monitoring performance and the achievement of objectives, and ensuring that plans for improvement are acted upon;
- (f) risk management, that is identifying, quantifying and devising systems to minimise the major risks affecting the Academy Trust; and
- (g) ensuring the Academy Trust and the Academies are conducted in compliance with the general law.

4.6.4 The Trustees are required to:

- (a) act together and not delegate overall responsibility for the Academy Trust to others;
- (b) act strictly in accordance with the Academy Trust's Articles;
- (c) act in the Academy Trust's interests only and without regard to their own private interests;
- (d) manage the Academy Trust's affairs prudently;
- (e) not take personal benefit from the Academy Trust unless expressly authorised by the Articles or the Charity Commission; and
- (f) take proper professional advice on matters on which they are not themselves competent.

4.6.5 The Trustees should also hold the Headteachers accountable. They should offer support, constructive advice, be a sounding board for ideas, a second opinion on proposals and help where needed, but will also challenge, ask questions, seek information and improve proposals where appropriate and at all times act in the best interests of the Academy Trust.

4.6.6 The Trustees shall have regard to the framework for inspecting schools in England under section 5 of the Education Act 2005 (as amended) issued by the Office for Standards in Education, Children's Services and Skills (Ofsted).

4.7 Delegation of powers of Trustees

4.7.1 The Trustees may delegate such of their powers or functions that they can legally delegate and which they consider would be desirable to delegate.

4.7.2 The Trustees must not delegate any of their powers listed in Appendix 3 (the "**Reserved Matters**").

4.7.3 Delegation can be made to:

- (a) Academy Trust committees (committees with functions related to the Academy Trust) including a Finance, Audit & Risk Committee whose remit includes the usual auditing functions;
- (b) the Academy Committees;
- (c) the Accounting Officer;
- (d) the Headteachers; and
- (e) the CFO.

4.7.4 However, every act of delegation shall be a delegation of powers and duties, and not a delegation or shedding of responsibilities.

4.8 Risk management

4.8.1 The Academies Financial Handbook and the Statement of Recommended Practice on Accounting and Reporting by Charities, (SORP) with which charities must comply, as amended from time to time, and the Charities (Accounts and Reports) Regulations as amended annually require the Trustees to make a statement in their annual report that confirms the major risks to which the Academy Trust is exposed (as identified by the Trustees) have been reviewed, and that systems have been established to mitigate those risks.

4.8.2 The Trustees are therefore responsible for:

- (a) identifying the major risks that apply to the Academy Trust, including:
 - (i) operational risks (employment issues, health and safety, fraud, service quality and development etc.);
 - (ii) financial risks (accuracy of financial information, cash flow, reserves, over-reliance on funding sources etc.);
 - (iii) external risks (changes in government policy, economic factors, demographic changes, adverse publicity etc.);

- (iv) regulatory risks (compliance with legislation, changes in policies of the regulators etc.);
- (b) making decisions (based where appropriate on advice from professional advisors) as to how to respond to those risks; and
- (c) making appropriate statements regarding the management of risks in the annual report.

4.9 The management of conflicts of interest

- 4.9.1 All Trustees are required to complete a declaration of business interests form on appointment and on an annual basis (including a nil return). Such declarations shall include:
 - (a) all business and financial interests such as Trusteeships, shareholdings, and other appointments of influence within a business or other organisation; and
 - (b) interests of related persons such as parents, spouses, children, personal and business partners where influence could be exerted by that person over a Trustee or member of staff.
- 4.9.2 The Secretary shall be responsible for maintaining a register of business interests including nil returns.
- 4.9.3 Each meeting of the Trustees shall include a standing agenda item for those attending to declare any changes to their declarations of interest and Trustees should withdraw from the meeting and not vote on any matter which gives rise to a conflict of interest.
- 4.9.4 No Trustee shall receive any payment for their work as a Trustee, other than payment of reasonable out of pocket travel, accommodation and other expenses which shall be subject to the prior written approval from the Finance and Resources Committee.

5. The Secretary to the Trust (Clerk)

- 5.1 The Secretary is appointed and removed by the Trustees.
- 5.2 The Secretary is the chief administrator with respect to the Academy Trust's administration affairs.
- 5.3 The Secretary shall not be a Trustee or a Headteacher of an Academy. However, if the Secretary fails to attend a meeting of the Trustees, the Trustees may appoint any one of their number or any other person to act as Secretary for the purposes of that meeting.

6. Committees

- 6.1 The Trustees may appoint committees with functions related to the Academy Trust. The constitution, membership and proceedings of any committee shall be determined by the Trustees under terms of reference and schemes of delegation.
- 6.2 Each committee shall be chaired by a Trustee (with the exception of the Academy Committees).
- 6.3 Membership of a committee may include persons who are not Trustees provided that (with the exception of the Academy Committees, which are referred to in Section 7 below) a majority of the members of the committee are Trustees.
- 6.4 Except in the case of an Academy Committee, no vote on any matter shall be taken at a meeting of a committee of the Trustees unless the majority of members of the committee present are Trustees.
- 6.5 The Trustees shall ensure that they receive appropriate feedback on the work of any committees.
- 6.6 Committees will act in an advisory capacity to the Trustees, except where powers have been specifically delegated to them by the Trustees. The specific committees to be appointed are as follows:

- 6.6.1 Finance, Audit and risk Committee;
 - 6.6.2 Pay panel; and
 - 6.6.3 Disciplinary appeals panel.
- 6.7 The terms of reference of each committee of the Trustees must be approved by the Board of Trustees and reviewed at least once in every twelve months. They provide the sole agreed framework within which each committee operates.

7. Academy Committees

- 7.1 The Articles requires the Board of Trustees to establish an Academy Committee in respect of each Academy to provide advice to the Trustees on the functioning of that Academy.
- 7.2 Membership of the Academy Committee must include the Headteacher and a minimum of two elected parents of a pupil at the Academy.
- 7.3 The Academy Committee is a committee of the Board, and it operates under terms of reference set out in a separate document (see Terms of Reference - Levels of Delegation – Appendix 4) which will be reviewed by the Trustees annually but may be called in at any other time if deemed necessary.
- The terms of reference will confirm what powers the Trustees have delegated to the Academy Committee. The functions and proceedings of the Academy Committees shall also be subject to the terms of reference.
- 7.4 The Academy Committee is made up of individuals who would ordinarily not be Trustees.
- 7.5 Each Academy Committee shall comprise, as a minimum:
- 7.5.1 The Headteacher of the Academy (or their nominated representative in exceptional circumstances);
 - 7.5.2 Two parents / carers of a pupil at the Academy (to be elected by parents/carers of pupils at that Academy);
 - 7.5.3 Two employees of the Academy (to be elected by employees of the Academy);
 - 7.5.4 Five “**Academy Appointed local governors**” appointed by the Trustees.
- 7.6 Each Academy Committee shall appoint a Chairman and a Vice-Chairman annually from its number.
- 7.7 Each Academy Committee may establish committees and delegate some of its responsibilities to those committees. Committees may include Associate Members, provided such individuals are in a minority. Associate Members do not have voting rights on decisions to be made by the Academy Committee.
- 7.8 The length of service of all local governors shall be four years, renewable for a second and third term only, terms beyond three shall only be renewable by the approval of the Trustees. Existing governors at a school before it converts to an Academy within the Academy Trust shall be permitted (at the discretion of the Trustees) to serve out the balance of their term as a local governor.
- 7.9 All Academy appointed governors should be nominated by the Academy Committee for approval of the Trustees. In making such nominations evidence that Academy Committees have focused on acquiring the skills and experience that the Academy Committee needs to be effective will need to be demonstrated.

8. Chief Financial Officer

- 8.1 The Trustees shall appoint a Chief Financial Officer (the "**CFO**") in accordance with the Handbook.
- 8.2 In accordance with the Handbook, the CFO is responsible for, along with a wider remit, the following responsibilities:
- 8.2.1 the day-to-day management of financial issues;
 - 8.2.2 the preparation and management of the Academy Trust's budget;
 - 8.2.3 the maintenance of effective systems of internal control; and
 - 8.2.4 ensuring that the annual accounts are properly presented and adequately supported by the underlying books and records of the Academy Trust.
- 8.3 The CFO is responsible for guiding the Trustees on financial, audit and charity accounting matters, as well as dealing with the day-to-day management of the financial position of the Academies and the maintenance of effective controls.
- 8.4 The CFO (or their representative) shall report to the Trustees' Board and the Finance, Audit and Risk Committee at each of their scheduled meetings.

9. Financial regulations manual

- 9.1 The financial regulations manual (the "**Finance Manual**"), which shall be prepared by the CFO, shall be adopted by the Trustees, normally on the recommendation of the Finance and Operations committee.
- 9.2 The purpose of the Finance Manual is to ensure that the Academy Trust maintains and develops systems of financial control which conform with the requirements both of propriety and of good financial management.
- 9.3 The Finance Manual shall include:
- 9.3.1 finance authorisation levels, which shall confirm the delegation of authority to key individuals up to a specified value;
 - 9.3.2 appropriate procedures to monitor cash requirements to ensure that the Academy Trust will not become overdrawn;
 - 9.3.3 a competitive tendering process for larger purchases in accordance with the Handbook; and
 - 9.3.4 a capitalisation limit for assets.
- 9.4 The CFO shall be responsible for preparing a process for the disposal of assets for approval by the Trustees with a view to ensuring the best possible value is obtained from any disposal.

10. Trust Budget approval

- 10.1 The Trustees shall be presented with a budget for the Trust for the year to 31 August for submission to the ESFA within the ESFA published deadlines.
- 10.2 The CFO shall be responsible for:
- 10.2.1 establishing a written procedure and timetable for setting a budget in advance of each academic year;
 - 10.2.2 setting the annual budget (including the assumptions on which it is based) for approval by the Trustees and for monitoring progress against it during the year;

- 10.2.3 ensuring that all significant in year amendments to budgets are properly notified to the Trustees for approval. The Finance, Audit and Risk Committee shall determine the appropriate thresholds and procedures for this;
- 10.2.4 reporting to the Trustees on the accuracy of the assumptions which have been used; and
- 10.2.5 reporting to the Trustees on the key financial performance indicators included in the budget.
- 10.3 The Trustees shall be responsible for approving the final audited accounts and the Academy Trust's accounting policies, as set out therein.
- 10.4 The Trustees shall ensure that they put in place procedures to review their own effectiveness and skills available in overseeing the Academy Trust's financial performance, and the soundness of its internal control.

11. The Headteachers of the Academies

- 11.1 The Articles require that the Trustees appoint the Headteacher of every school within the Academy Trust. However, the Trustees have determined that the Academy Committees will be actively involved in making the appointment provided that the Trustees have the right to participate in the process, are consulted and have a right to veto the appointment, such veto not to be actioned unreasonably.
- 11.2 The Headteachers are responsible to the Trustees for:
- 11.2.1 the internal organisation, management and control of his or her respective Academy;
- 11.2.2 the implementation of all policies approved by the Trustees that relate to his or her respective Academy; and
- 11.2.3 the direction of the teaching and implementation of the curriculum at his or her respective Academy.
- 11.3 The Trustees may delegate such additional powers and functions as they consider are required by each of the Headteachers to enable them to carry out the above responsibilities.

12. The Accounting Officer

- 12.1 The Headteacher of The Cooper School shall have the role of "**Accounting Officer**" as set out in the Handbook.
- 12.1.1 The Accounting Officer is personally responsible to the Trustees for ensuring:
- (a) regularity and propriety, that is dealing with money in accordance with applicable legislation, authority and rules and with fairness and integrity (including avoidance of personal gain);
 - (b) prudent and economical administration, which is concerned with securing value for money;
 - (c) avoidance of waste and extravagance;
 - (d) efficient and effective use of available resources; and
 - (e) the day-to-day organisation, staffing and management of the Academy.
- 12.1.2 Included in the responsibilities of the Accounting Officer is a duty to take appropriate action if the Board of Trustees, or the Academy Committee, or the Chairman is contemplating a course of action that the Accounting Officer considers would infringe the requirements of propriety or regularity (including the provisions of the Funding Agreement or other documents setting out the financial duties of the Trustees or of any other rules governing the conduct of the Trustees), or would not represent prudent or economic administration, or the efficient or effective discharge of the Trustees' functions.

12.1.3 The Accounting Officer shall be required to provide a statement on governance, regularity, propriety and compliance in the Academy Trust's annual report. The format of the statement is included within the Accounts Direction which is issued annually.

12.1.4 The Accounting Officer may delegate or appoint others, such as the CFO, to assist in carrying out these responsibilities.

13. Staff appointments and performance management

13.1 The CFO and the Secretary shall be appointed by the Trustees.

13.2 The teaching and non-teaching staff at each Academy shall be appointed by the Headteachers under delegated authority from the Trustees, in consultation with the relevant Academy Committee. For Senior Leadership appointments, at least one member of the Academy Committee shall be part of the appointment process and selection panel.

13.3 The Trustees are responsible for the overall contractual management and compliance of all staff employed by the Academy Trust including determining human resource policies and terms and conditions of employment.

13.4 The Headteachers and Academy Committees are responsible for ensuring the Trustees' policies are adopted and implemented at the Academies.

13.5 The performance management of the Headteachers shall be carried out by the Headteacher's appraisal committee of the Academy Committee, notifying the Trustees of its completion annually.

13.6 At appointment, the Headteachers' pay will be determined by the Trustees in accordance with the current Schoolteachers' Pay and Conditions (STPC) document.

With regard to headteacher's annual pay rise, the Headteacher Performance Management panel will make a recommendation to the Trust Pay panel, with appropriate reference to the STPC. The Trust Pay panel will decide whether to approve the recommendation, after appropriate deliberation.

13.7 The performance management of all other employees will be carried out by the Headteachers (who may further delegate to appropriate managers). The Headteachers shall be responsible for making pay recommendations to the Academy Committee pay committee for approval.

13.8 The CFO performance management will be undertaken by the Accounting Officer.

13.9 The Trustees are responsible, together with Academy Committees, for overseeing the performance management of all teaching and non-teaching staff and shall establish a written performance management policy following consultation with staff. Such consultation may be carried out by the Headteachers on behalf of the Academy Trust.

13.10 The Academy Trust must review the performance management policy each year.

13.11 The Academy Trust must make a copy of the policy available to each Academy, to any of the staff, to anyone inspecting the Academies' performance management system or to an authorised external adviser.

14. Interpretation

- 14.1 Words and expressions defined in Article 1 of the Articles shall have the same meaning in this Scheme unless the context requires otherwise.
- 14.2 No provision of this Scheme may be inconsistent with or shall repeal anything contained in the Articles of the Academy Trust.
- 14.3 The Articles of the Academy Trust and any lawful amendment of them shall take precedence in the event of an inconsistency with this Scheme.
- 14.4 Any reference to a statute includes an amendment or re-enactment of that statute or regulations made under it.
- 14.5 Words in the masculine include the feminine gender and vice versa; words in the singular include the plural and vice versa; headings are for ease of reading and do not form part of the Scheme.

15. Approved version

- 15.1 This Scheme of Delegation was approved and adopted by a resolution of the Trustees passed at a meeting held on [13th January 2021] and takes effect from the same date.

16. Date of next review

- 16.1 This Scheme shall be reviewed by the Trustees annually.

Appendix 1 - Consent to be a member

Bernwode Schools Trust (the "Company")

I hereby consent to being a member of the Company.

As a member of the Company, I hereby undertake to contribute to:

- 1. The assets of the Company in the event of it being wound up whilst I am a member or within one year after I cease to be a member;
- 2. Payment of the debts and liabilities of the Company contracted before I cease to be a member and of the costs, charges and expenses of winding up; and
- 3. The adjustment of the rights of the contributories among themselves, such amounts as may be required; provided that such amounts do not exceed £10 in total.

Signed _____

Full name _____

Address _____

Date _____

Please sign and retain the additional copy of this document with your records.

Bernwode Schools Trust : a charitable company limited by guarantee
 Company registration number: 09053713
 Registered office: Churchill Road, Bicester, Oxon , OX26 4RS

Appendix 2 – Trustee Declaration

Bernwode Schools Trust (the "Company")

I confirm that I am willing to act as a Trustee of the Company (a "Trustee").

I further confirm that I am not disqualified from so acting by virtue of any provisions of the Company's Articles of Association, including, but not limited to, the requirement that I am not disqualified from acting as a charity trustee or Trustee by virtue of section 178 of the Charities Act 2011 (extract included overleaf).

Signed _____
Full name _____
Address _____

Date _____

Please sign and retain the additional copy of this document with your records.

Bernwode Schools Trust: a charitable company limited by guarantee
Company registration number: 09053713
Registered office: Churchill Road, Bicester, Oxon , OX26 4RS

Extract from section 178 of the Charities Act 2011

178 Persons disqualified from being charity trustees or trustees of a charity

(1) person (“P”) is disqualified from being a charity trustee or trustee for a charity in the following cases—

Case A

P has been convicted of any offence involving dishonesty or deception.

Case B

P has been adjudged bankrupt or sequestration of P's estate has been awarded and (in either case)—

- a) P has not been discharged, or
- b) P is the subject of a bankruptcy restrictions order or an interim order.

Case C

P has made a composition or arrangement with, or granted a trust deed for, creditors and has not been discharged in respect of it.

Case D

P has been removed from the office of charity trustee or trustee for a charity by an order made—

- a) by the Commission under section 79(2)(a) or by the Commission or the Commissioners under a relevant earlier enactment (as defined by section 179(5)), or
- b) by the High Court, on the ground of any misconduct or mismanagement in the administration of the charity for which P was responsible or to which P was privy, or which P's conduct contributed to or facilitated.

Case E

P has been removed, under section 34(5)(e) of the Charities and Trustee Investment (Scotland) Act 2005 (asp 10) (powers of the Court of Session) or the relevant earlier legislation (as defined by section 179(6)), from being concerned in the management or control of any body.

Case F

P is subject to—

- a) a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986 or the Company Directors Disqualification (Northern Ireland) Order 2002 (S.I. 2002/ 3150 (N.I.4)), or
- b) an order made under section 429(2) of the Insolvency Act 1986 (disabilities on revocation of county court administration order).

Appendix 3 - Reserved Matters

The **Reserved Matters** are:

1. To change the name of the Academies or the Academy Trust;
2. To change the Objects (which would require Charity Commission and Secretary of State consent in any event);
3. To determine or subsequently change the educational character, mission or ethos of the Academies;
4. To change the structure of the Board of Trustees or the constitution and terms of reference of any committee of the Board of Trustees;
5. To alter or amend the Articles or this Scheme;
6. To pass a resolution to wind up an Academy or the Academy Trust;
7. To establish a trading company;
8. To sell, purchase, mortgage or charge any land in which the Academy Trust has an interest;
9. To approve the annual estimates of income and expenditure (budgets) and major projects;
10. To sign off the annual accounts;
11. To appoint or dismiss the CFO, or the Clerk to the Trustees;
12. To do any other act which the Funding Agreement expressly reserves to the Board of Trustees or to another body (including for the avoidance of doubt, terminating the Funding Agreement or any part thereof);
13. To do any other act which the Articles expressly reserve to the Board of Trustees or to another body; or
14. To do any other act which the Board of Trustees determine to be a Reserved Matter from time to time.

Appendix 4 – Terms of Reference – Levels of Delegation

Key:

Level 0	Members
Level I	Bernwode Schools Trust Board of Trustees
Level II	Bernwode Schools Trust Committees <ol style="list-style-type: none">1. Finance, Audit and Risk2. Headteacher Pay panel3. Disciplinary Appeals panel (ad-hoc)4. Grievance appeals panel (ad-hoc)5. Complaint Panel Hearing (ad-hoc) for complaints raised about members of the Academy Committee and Headteachers
Level III	Academy Committees
Level IV	Executive Team (Headteacher and Senior Leadership) in each Academy

Meaning of Terms:

A - Accountable - approve, appoint (strategic/non-executive responsibility)

M - Monitor/ensure (delegated strategic/non-executive responsibility)

R - Responsible - do the work (operational/executive responsibility)

C - Consulted - opinions sought

Where a number of groups have a shared duty, overall lead/authority is as shown with an asterisk*

For example:

R1 means that **Responsibility** for the Activity lies with the **Full Board of Trustees**

R2 means that **Responsibility** for the Activity lies with the **Finance & Operations Committee** of the Trust

M3 means the Activity is the responsibility of some other group, but will be **monitored** by the **Teaching & Learning Committee** of the Trust

Key Function	No.	Activity	Members	Trust Board	Trust Cttees	Academy Cttee	Exec Team
Governance and Policies	1	Establish the vision and direction of The Trust	R	C			
	2	Develop and establish Governance arrangements for the Trust including standing orders and schemes of delegations for Academy Committees & Councils		A / R		C	
	3	Develop and establish procedures for the establishment or dissolution of Academy Committees or Councils		A / R			
	4	Ratify the appointment or removal of Local Governors to or from Academy Committees & Councils		A / R		C	
	5	Quality assure, evaluate and develop the quality of Governance across the Trust		A / R*		R	
	6	Ratification of delegation of responsibilities to Academy Committees, sub-committees, working groups or individuals		M		R	
	7	Determine which policies are mandatory for all schools		A / R*	R2		
	8	Ensure that statutory policies are in place		A / R		R	
	9	Create a Register of Interest	R	A / R		R	
	10	Proposal of delegation of responsibilities to committees, working groups or individuals, including Terms of reference		A / R*		R	
	11	Propose the appointment and removal of Governors including the Chair of governors		A		R	
	12	Appoint or remove Secretary to the Trust (a) or Clerk to the Local Governors (b)		A / R (a)		R (b)	
	13	To evaluate the quality of governance at school level, determine development needs and implement appropriate training		A / M		R	
	14	To maintain trust policies / school level appendices		A / R		R	
	15	To ensure publication of statutory information on the school website		A		M	R

Key Function	No.	Activity	Members	Trust Board	Trust Cttees.	Academy Cttee.	Exec Team
Core Functions	16	Ensure the quality of education provision and oversee standards and outcomes across the Trust		A / R			
	17	Manage the Trust's finance and property		A	R1		
	18	Ensure that the Trust complies with charity and company law		A / R	M1		
	19	Operate the academy in accordance with the Funding Agreement that has been signed with the Secretary of State		A / R*	R1		
	20	To carry out due diligence and make decisions regarding further schools joining the Trust		A / R*	R1		
	21	Setting the school's vision, ethos and strategic direction within the values of the Trust		A / M		R*	R
	22	Maintaining the effective operation and membership of the Academy Committee or Council		A / M		R*	
	23	Overseeing the educational performance of the school		A / M		R*	R
	24	Overseeing financial performance of the school		A	M1	R*	R
	25	Ensuring pupil wellbeing including safeguarding, school safety and security		A / M		R	R*

	26	Carrying out the Headteacher's annual performance appraisal		A / M		R*	
	27	Meet at least 4 times every school year – formal minuted meetings, (signed minutes must be shared with the Trust)		M		R	
	28	Attend Trust Committee and Trust-wide events to represent their individual school and contribute to the development of the Trust		M		R*	R

Key Function	No.	Activity	Members	Trust Board	Trust Cttees	Academy Cttee	Exec Team
Finance	29	Determine the proportion of the overall Academy budget to be delegated to individual Schools		A	R1		
	30	Approve the first formal Trust budget plan each financial year		A / R*	R1		
	31	Monitor monthly Trust expenditure through receipt of monthly management accounts		A / R			
	32	Detailed monitoring of budget, with projected outturn.		A	R1		
	33	Approve any likely budget headings overspends or miscellaneous expenditure within Trust budgets (inc. whole school budgets)		A	R1		
	34	Develop and establish financial decision levels and limits		A	R1		
	35	Trust procurement / contracting (e.g. insurance, catering, photocopying, grounds maintenance)		A	R1	C	M
	36	Establish a charging and remissions policy		A	R1	C	
	37	Implement a charging and remissions policy in line with the Trust's overarching policy guidelines			M1	M	R
	38	Appoint the Accounting Officer		A / R			
	39	Write off debts within approved limits		A / R	R1		
	40	Determine and evaluate levels of risk		A	R1*		R
	41	Development and establishment of Business Development and Business continuity Plans		A	R1*		R
	42	Development, establishment and monitoring of Trust Financial Procedures		A	R1*		R
	43	Authorise at least 2 signatories for each school				R	R*
	44	Develop and propose the individual School budget				R	R*
	45	Monitor monthly school expenditure			M1	R	R*
	46	Approve any likely budget headings overspends or miscellaneous expenditure within overall school budget			M1	R*	R
	47	Enter into school level contracts up to the limits of delegation and within an agreed budget		A	M1	R*	R
	48	Approve payments within agreed financial limits		A / R	R1	R	R
49	Approve significant transfers (virements) between budget headings within agreed limits		A	M1	R*	R	
50	Fundraising and income generation at a school level (as defined in the scheme of delegation)			M1	R	R*	
51	Implementation of Trust Financial Procedures at School level			M1	M*	R	

Key Function	No.	Activity	Members	Trust Board	Trust Cttees	Academy Cttee	Exec Team
Staffing & Appraisal	52	To develop and establish a pay policy		A	R1		
	53	To implement pay and appraisal policies in line with the Trust's guidelines		A / R		R	R*
	54	Performance related pay and pay discretions & decisions within the context of the Trust pay policy			R1*	R*	R
	55	To establish appraisal policy		A / R			
	56	To develop and implement the appraisal policy for relevant staff		A	R2*	R*	R*
	57	Appointment / Dismissal of Accounting Officer and Trust Senior Staff		A / R			
	58	Headteacher appointment (must involve 1 Trustee on the selection panel) / dismissal		A	R	R*	
	59	Deputy Headteacher appointment (must involve 1 Trustee on the selection panel) / dismissal		R		R*	R
	60	Appoint other teachers within staff complement				M	R
	61	Appoint support staff within staff complement				M	R
	62	Appoint temporary staff outside staff complement within overall school budget				M	R
	63	Appraisal of Headteachers (must involve 1 Trustee)		R		R*	
	64	Appraisal of all other school staff				M	R
	65	Establishing disciplinary/capability procedures		A / R			
	66	Dismissal of Headteacher / appeals panel		A / R*	R3*		
	67	Dismissal of staff / appeals panel to include 1 trustee		R		R	R*
	68	Suspending / Ending of suspension of Headteacher			M	R	
69	Suspending / Ending of suspension of Staff				M	R	
70	Determining dismissal payments/settlement agreements, early retirement within overall school budget and Financial procedures			C1	R*	R	
71	Restructures at school level (Trust should be informed in advance)		C		R	R*	

Key Function	No.	Activity	Members	Trust Board	Trust Cttees	Academy Cttee	Exec Team
Curriculum and Standards	72	Ensure the quality of education provision and oversee standards and outcomes across the Trust		A / R			
	73	Develop and establish Trust Self-evaluation processes and an educational development plan		A / R			
	74	To establish targets for school performance / Trust-wide performance expectations		A / R			
	75	Develop and establish a curriculum policy		M		R*	R
	76	Develop and establish School Self-evaluation processes and Improvement plans		M		R*	R
	77	Accountability for standards of teaching, quality and school performance (staff and pupils)		A		R	
	78	Develop and establish a Behaviour for Learning policy		A / R*		C / R	
	79	To review the use of exclusions and whether or not to confirm permanent exclusion panel to include 1 trustee		A / M		R*	

	80	Propose targets for school performance				R*	R
	81	Implement curriculum policy				M	R
	82	Responsible for standards of teaching, quality and school performance (staff and pupils)		M		M*	R
	83	Implement a Behaviour for Learning policy		M		M	R

Key Function	No.	Activity	Members	Trust Board	Trust Cttees	Academy Cttee	Exec Team
Admissions and School Organisation	84	Establish admission rules for Schools within the Trust and sign off any changes to PAN and Admissions		A / R		C	C
	85	Develop and propose admission rules		A		R	
	86	Establish an admission committee		A		R	
	87	Establish times of school sessions and Term dates		A / R			
	88	Develop and propose times of school sessions and Term dates		A / C		C	R

Key Function	No.	Activity	Members	Trust Board	Trust Cttees	Academy Cttee	Exec Team
Premises, Health and Safety, Safeguarding and IT	89	Buildings and personal liability insurance		A	R1*		R
	90	Develop and establish Trust premises (all schools) strategic planning		A / R			R
	91	Develop and establish a Trust health and safety policy and Trust procedures		A	R1*		R
	92	Develop and establish a Trust safeguarding policy and Trust procedures		A / R*			R
	93	Develop and establish Trust IT (all schools) strategic planning		A / R*			R
	94	Applications for new buildings and planning permission		A	R1*	C	R
	95	Sale, leasing and sub-letting agreements		A	R1		
	96	Academy Council proposes, but the Trust Board has responsibility for, the 5 year and 25-year estate management plan		A / R*	R1	R	
	97	Develop and establish school based safeguarding procedures		A / M		R	C
	98	Develop and establish school based health and safety procedures		A	M1	R	C
	99	Propose school strategic premises plans (including new buildings, leases, sub-lettings proposals)		A / M		R	C
	100	Propose school strategic IT plans		A / M		R	R
	101	School building maintenance		A / M		R	R
102	Implementation of the health and safety policy and procedures		A	M1*	M*	R	
103	Implementation of the safeguarding policy and procedures		A / M	M1*	M*	R	