



KALEIDOSCOPE LEARNING TRUST – CLOUGHWOOD LOCAL GOVERNING BODY CONSTITUTION - TERMS OF REFERENCE – SCHEME OF DELEGATION (App A)

1. Constitution

1.1 The LGB is a committee of the Kaleidoscope Learning Trust [KLT]. The LGB shall comprise a maximum of 9 governors, up to five of whom shall be appointed by the KLT Trustee Board, two of whom shall be staff governors, elected by the staff, and two of whom shall be parent governors, elected by the parents' association, or similar body, or, where this does not exist, from parent volunteers, appointed by the Trustee Board. In exceptional circumstances, where there is difficulty in obtaining parents of pupils attending the school, parents of school/college age children within the community may be approached.

1.2 The LGB will meet a minimum of once per term and shall be quorate if there is a minimum of four governors present, three of whom must not be employed by the Academy. All governors have one vote, with the Chair also having a casting vote. The Executive attend in an ex officio, advisory, non-voting capacity.

1.3 Governors serve for a period of three years, ideally staggered, with a third resigning each year and being eligible to be elected to serve again for further periods of 3 years. Governors are subject to the same terms of office/disqualification as trustee/directors. (Paras 65 – 80 and 97-98 of the KLT Articles of Association).

2. Terms of Reference:

These Terms of Reference are written in accordance with the KLT's Articles of Association and encompass the Trust's Scheme of Delegation [Appendix A].

The Governors understand that in complying with the Terms of Reference they will:

- Promote high standards and aim to ensure that students are attending a successful school which provides them with a good education and supports their wellbeing
- Be responsible to the Board of Trustees for its actions and follow the expectations of governors as laid down by the Trustees
- Aim to establish that the LGB is competent, accountable, independent and diverse and promotes best practice in governance
- Aim to ensure that they promote and uphold high standards of conduct, integrity and ethics

2.1 General:

- To recommend appropriate priorities to the Trustee Board in support of the setting of strategic objectives for the Trust and the Academy and review their delivery
- To review and evaluate the progress of the Academy against its strategic objectives and

KPIs

- To agree and recommend appropriate priorities to the Trustee Board for the Academy Development Plan which are supportive of the strategic aims of the Trust
- To comply with the Funding Agreement and obligations within the Academies Financial Handbook
- To review and ensure compliance with all regulations affecting the Academy as part of the Trust, charity law, company law, employment law, health and safety
- To review and approve all Academy specific policies. Maintain a schedule of review dates
- To comply with media and public relations activities to promote the activities of the Academy and the Trust to the wider community, including the Academy prospectus/website
- To consult with the Trustee Board to set the Academy opening and closing hours, length of school day and term dates
- To review and ensure compliance in terms of financial oversight and control within the principle of best value
- To deliver compliance with Trust policies and procedures by completing a register of business interests and dealing with any conflicts of interest and connected party transactions
- To review procedures and ensure processes are in place for the election of Governors of the LGB and to recommend suitable candidates to the Trustee Board
- To review the performance of Governors and ensure that they have the necessary skills to govern the Academy
- To deliver and/or facilitate an appropriate training programme for Governors
- To report progress each term against the Cloughwood Balanced Scorecard of KPIs, as directed by the Trustee Board

2.2 Education and Standards:

- To monitor and review the performance of the Academy in line with the agreed targets and KPIs and to hold the Executive to account for their delivery
- To monitor the achievement of students across the Academy in line with KPIs
- To monitor the Academy's target setting, assessment and reporting arrangements, Ensuring consistency of practice to support learning and progress
- To review the quality of teaching and learning at the Academy, providing challenge and support as appropriate
- To review and monitor the Academy curriculum to ensure its effectiveness in supporting teaching, learning and educational outcomes, taking account of statutory guidance and equality of opportunity
- To determine and review how Pupil Premium funding is spent at the Academy and to monitor its effectiveness in accelerating the progress of eligible students and narrowing achievement gaps with their peers
- To receive reports from the Executive on a range of student issues; attendance, exclusions and disciplinary matters and ensure that Trust/Academy policies are followed and that any material issues are reported to the Trustee Board
- To review and monitor the arrangements for collective worship
- To review and monitor the arrangements for sex and relationship education

2.3 Finance and Risk Management:

- To provide relevant information and consult with the Trustee Board to support the development of the funding model for the Trust and the Academy budget

- To consult with the Trustee Board in preparation of the Academy budget
- To comply with the levels of financial authority across the Academy as detailed in the Scheme of Delegation
- To oversee the financial probity of the Academy and making sure its money is well spent.

2.4 Human Resources (HR):

- To appoint Academy staff [excluding SLT members] in consultation with the Headteacher and in line with the Academy's agreed staffing structure and the KLT financial staffing ratio
- To have input through the LGB Chair into the annual appraisal, and mid-term review, of the Headteacher and recommendations regarding pay progression
- To review and ensure compliance with appropriate Trust wide HR policies in accordance with all appropriate regulations, recruitment, discipline, capability, grievance, absence
- To ensure compliance and effective implementation of the Appraisal/Performance Management Policy in line with the Trust's Pay & Performance Policy and all statutory regulations
- To monitor the Academy's procedures for staff professional development and training
- To review the Academy's discipline and grievance policies in line with Trust policy
- To comply with Trust procurement policies, Auditors, HR, Payroll, Legal services
- To consult on the allocation of central services provided to the Academy by the Trustee Board and to report to the Board on their effectiveness

2.5 Premises

- To support the Trustee Board to effectively discharge its responsibilities with regard to the strategic site management of the Academy
- To oversee building security and routine maintenance programmes, placement of contracts and monitoring of standards of work
- To provide the Trustee Board with an overview of satisfactory standards of resources, furniture, equipment, fittings
- To recommend to the Trustee Board any changes to fixed assets used by the Academy
- To recommend to the Trustee Board the need for any capital works, with associated business case.

3.0 Reporting Requirements:

The LGB will provide the following reports to the Trustee Board:

- LGB Minutes, including actions and issues addressed
- Progress on Academy Development Plans and targets in support of the Trust's Strategic

Plan objectives

- Draft Budget Plan for approval of Trustee Board
- Performance against the Cloughwood Balanced Scorecard of KPIs
- Other reports that may from time to time be requested by the Trustee Board

Appendix A Scheme of Delegation follows

September 2023

Cloughwood Academy – Scheme of Delegation



LGB column shows delegated authority granted by Trustee Board to Cloughwood Academy LGB.

STRATEGIC	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Trust Strategic Plan	X	X					In consultation with CEO
Approval MAT Development Plan		X					CEO formulates in support of Trust Strategy
New partner providers joining		X					CEO recommendation post due diligence
Entering into funding agreements for new partner providers		X	X				In consultation with CFO
Determine appropriate Scheme of Delegation for partner providers		X					In consultation with CEO and CFO
Determine the scope of central services to be delivered by the Trust		X	X				In consultation with CFO

GOVERNANCE	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Appointment of Members	X						CEO and Trustees can recommend
Appointment of Trustees	X						CEO and Trustees can recommend
Removal of Trustees	X						CEO and Trustees can recommend
Approval of terms of reference for subcommittees and for LGB's		X					Standard format across all partner academies
Recruitment of LGB governors						X	Per Articles of Association
Appointment of LGB governors		X				X	Trustee Board approval
Appointment Trust Chair/ Committee Chairs & Members/LGB Chair		X					

Removal of LGB		X					Based on specific triggers
Appoint & Remove Clerk to the Board of Trustees and Academy LGB		X					As per contract of employment
To draw up governance documents		X	X				
Authorisation to approve/amend Scheme of Delegated Authority		X					
Maintenance of Register of Interests		X				X	At each level
Publish proposals to change category of school		X	X				
Complete annual skills audit and appropriate training programme		X				X	At each level

SCHOOL PERFORMANCE AND CURRICULUM	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Set and monitor Academy pupil achievement and attendance targets					X	X	In consultation with CEO
Approval and monitoring of academy targets for pupil achievement and attendance		X			X		In consultation with CEO
Approval and monitoring of standards of quality of teaching and learning					X	X	In consultation with CEO
Approval and monitoring of academy plans for pupil wellbeing					X	X	In consultation with CEO
Approval and monitoring partner provider specific development plans		X	X				
Approval of academy development and improvement plans			X		X	X	
Post-Ofsted partner provider Action Plan sign off			X		X	X	Report to Trustees
Partner provider Performance reviews		X	X				
Curriculum: Planning, implementation and review					X	X	In consultation with CEO
Compile data for pupil assessment and statutory returns					X		Submitted to Trust for information
To develop and implement a safeguarding policy in line with statutory requirements					X	X	In consultation with CEO
Approval of partner provider educational policies and practices		X			X	X	All trust wide policies to be signed off by Trustees
Term dates		X				X	

Length/ organisation of partner providers' day					X	X	
Exclusion					X	X	Report to LGB
Permanent exclusions					X	X	Report to LGB
Exclusion appeals						X	
Setting/amending Admissions policies and criteria					X	X	In consultation with CEO
Admission appeals					X		

FINANCE							
Statutory Reporting	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Completion and approval of annual accounts and reports to funding and regulatory bodies	X	X					Reviewed by CFO and CEO, after support from external Accountants
Completion and submission of other accounting returns			X	X			CEO in role of Accounting Office
Completing annual & periodic financial reports to Board (including income/expenditure, cash flow, projections etc.).				X			
Authorised to complete PAYE returns				X			
Authorised to complete VAT returns.				X			

Systems of Internal Financial Control	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Assurance over adequacy of systems of internal financial control			X	X			CEO in role of Accounting Officer
Approval of financial regulations		X		X			CFO reports to the Trustees
Appointment of external auditors	X	X					Recommendation from CFO and CEO

Budget & Management Reporting	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Approval of annual budget for partner providers		X					Prepared by CFO and reviewed by LGB
Recommendation of line-by-line individual partner providers' budgets			X	X	X		

Approve individual academy budgets		X	X				
Receipt and review of management accounts		X	X				Report prepared by CFO
Budget virements		X	X				CEO ≤£10K; Board sub-committee >£10K
Establish a charging and remissions policy		X				X	

Purchasing & Procurement	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Use of Charge/Debit Cards			X	X			CEO/CFO ≤£2K per month. (Head of Care ≤£1.5K. Site Manager ≤£1K via CFO)
Access Education Finance Invoice Approvers			X	X			CFO ≤£2K; CEO ≤£20K
Purchase Orders. Approvers			X	X			CFO/VPs ≤£2K; CEO ≤£20K
Approval of Tenders (budgeted expenditure; at least 3 quotations required over £5K; over £50K must go out to formal tender)			X	X			Any two of three, including budget holder. (see Procurement & Tendering Policy for process)
Approval of Tenders (non-budgeted)		X	X				CEO ≤£10K; Trustees >£10K
Ensuring compliance with tendering processes				X			Report to Trustees
Identify additional services to be procured on behalf of partner providers			X	X			
Ensure centrally procured services provide value for money		X			X		

Banking Authority & Cash Management	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Cash flow Management, Treasury & Investment		X		X			Report to Trustees
Open a bank account and approve signatories		X		X			CFO to open (standard model for each new partner academy)

Transaction Processing	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Maintain proper financial records		X	X	X	X	X	
Payroll - Starters, leavers and amendments				X			Can be delegated to SBM if appointed
Payroll - Administration				X			Can be delegated to SBM, if appointed
Purchasing - Authorised to create vendors on accounting system				X			Can be delegated to SBM, if appointed
Income				X		X	Can be delegated to SBM, if appointed
Authorisation of expense claims (cannot authorise one's own expenses)			X	X	X		Cannot authorise own expenses. CEO = Trust Chair
Control account reconciliation				X			
Write-off bad debts		X					Report by CFO

Fixed Assets	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Management of capital projects			X	X			
Asset Register				X		X	Partner providers to maintain their own
Security of Assets		X				X	Any issues reported to Trustees via CFO
Disposal of Assets up to £20,000		X		X		X	In consultation with Trustee Board
Disposal of Assets over £20,000		X					Advised by CEO/CFO
Loan of Assets		X		X	X	X	In consultation with Trustee Board

Insurances	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Annual Risk Review & Premium Renewal				X			RPA

HUMAN RESOURCES							
Staff Structure	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Approval of staffing structure		X	X		X	X	Within staffing budget Exceeding budget - Trustees
Approval of staffing budgets		X					Trustees to approve

Authorised to Increase Headcount within existing staffing budget/KLT staffing ratios			X	X		X	Reported to Trustees (and LGB if appropriate)
Job Description sign off			X				

Grade of Posts (Teaching & Support Staff)	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Job evaluation policy & procedures			X	X			Ensure consistency
Authorised to evaluate jobs and grades			X	X			Ensure consistency
Authorised to agree/vary basic employment Terms & Conditions			X				Ensure consistency

Recruitment	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Recruitment and appointment of CEO	X	X					
Recruitment and appointment of CFO		X	X				
Recruitment and appointment of SLTs		X	X				
Recruitment and appointment of Heads of School		X	X			X	
Recruitment and appointment of other Senior Leaders			X		X	X	
Recruitment and appointment of other staff					X	X	
Recruitment processes including pre recruitment checks		X	X	X	X	X	Dependent on level Ensure consistency
Signing of employment contracts		X	X				Trustee Board Chair for CEO

Pay Policy	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Annual approval of pay policy		X					
Determination of pay ranges		X	X				
Allocation of TLR / SEN values		X	X		X		Within staffing budget HoS in Liaison with CEO
Annual pay progression, pay awards		X	X		X		Within staffing budget and reported via P&PC to Trustees

Pension Policy & Discretions	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Handling of all pension matters (teachers and support staff)				X			
Approval of use of discretions		X					

OPERATION OF POLICIES	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Formulation and approval of Trust policies including performance management and capability, disciplinary, grievance, complaints etc.		X					CEO makes recommendations
Approval of formal restructure plans		X	X	X			CEO and CFO make recommendations
Approval of severance or redundancy agreements		X	X				
Authority to issue warnings or other disciplinary measures except dismissal			X		X		
Authorisation of settlement agreements		X	X				Within budget
Suspension		X	X		X		
Dismissal	X	X	X		X	X	LGB with CEO (HR advice needed)
Appeals	X	X					
Comply with all Data protection legislation with regards to students, parents and staff		X	X	X	X	X	
Comply with website requirements		X	X	X	X	X	

PERFORMANCE MANAGEMENT	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Conduct CEO performance management		X					With input from sip
Conduct HoS performance management		X				X	Jointly with Trustee Board With input from CEO
Conduct partner provider staff performance management					X		

HEALTH AND SAFETY AND ESTATES	Members	Trustees	CEO	CFO	HT	LGB	Commentary
Health and Safety Policy		X					
Ensuring the adequacy of health and safety practice throughout the Trust		X	X	X	X	X	
Critical incident planning		X	X		X	X	
Health and Safety Accident reporting				X		X	Reports to Trustees
Premises management and security					X	X	
Statutory training		X	X		X	X	Report via LGB to Trustees
Statutory compliance testing		X	X		X	X	
Partner provider health and safety arrangements including use of risk assessments				X	X	X	Report via LGB to Trustees
Fire risk assessment			X		X	X	CFO organise risk assessments locally report via LGB
Asbestos risk assessment			X		X	X	CFO organises risk assessments locally report via LGB/trustees
General monitoring and action plans in relation to safety of sites including buildings conditions			X	X	X	X	Reports to Trustees
Develop academy building and facilities estate long term strategy for development and maintenance		X	X	X	X		HoS in discussion with CEO and CFO to Trust Board

Sept 2023