



Scheme of Delegation for Local Governing Bodies

including:

Appendix 1 - terms of reference and delegation for Committees

Appendix 2 - Code of Conduct

Appendix 3 - Reserved Matters

INTRODUCTION

This Scheme of Delegation has been made by the Trustees of E21C Trust.

The Trustees shall establish a Local Governing Body (**LGB**) for each School. This Scheme of Delegation establishes sound procedures for the conduct of the LGB's business functions delegated by the Trustees. They draw extensively from the quality standards of E21C and where appropriate, general advice issued by the DfE, including the Academies Financial Handbook, the Funding Agreements and the Governance Handbook.

OVERRIDING PRINCIPLES AND EXPECTATIONS OF THE LGB

Broadly, the role of an LGB is to provide focused governance for a School at a local level. It monitors the School's key performance indicators and acts as a critical friend to the Headteacher / Head of School, providing challenge where appropriate.

The LGBs carry out their functions in relation to their School on behalf of the Trustees and in accordance with policies determined by the Trustees. The act of delegation from the Trustees to the LGBs is a delegation of powers and duties, and not a delegation or shedding of responsibilities.

The LGB acknowledges its accountability to the Board of Trustees, E21C and to its School's stakeholders, specifically the students, staff, parents and the wider education community.

The LGB will act in a corporate, collective, and responsible way and conduct its business properly with the best interests of the School at the core of its activities and decisions.

The LGB's function is largely advisory, through monitoring and evaluating the implementation of policy and the achievement of academic standards through effective deployment of all delegated resources. The LGB will represent and champion the School and its local community.

The LGB will act in accordance with both E21C's and the School's ethos, aims, and objectives and work collectively to promote the same. Individual Local Governors will also be expected to conduct themselves in accordance with these principles.

The LGB is committed to promoting equal opportunity in all its affairs in relation to Local Governors, students, staff, and parents. In particular, it will ensure that the principles of equal treatment and access, challenging discrimination, and promoting diversity are adhered to and promoted.

The LGB is committed to freedom of information in accordance with the provisions of the Freedom of Information Act 2000, but subject to any requirements of confidentiality.

The LGB is committed to the development of its expertise and will make full use of any specifically allocated funding to encourage its Local Governors to undertake any appropriate training.

Local Governors are each asked to act in accordance with the Code of Conduct at Appendix 2 and to annually sign a copy of the Code (to be provided at the first meeting of each School year by the Clerk to the LGB).

For the avoidance of doubt, Appendix 3 contains a list of reserved matters which are matters for consideration and determination by the Members and Trustees of E21C only.

1 LOCAL GOVERNING BODY

The term ‘Local Governing Body’ or LGB is used to describe [XXX] School's local governing body which is part of E21C Trust.

It will consist of a minimum of 5 and a maximum of 10 Local Governors as follows:

- Appointed Local Governors** Up to 5 individuals will be appointed directly by the Trust,
- Parent Local Governors** 2 parents will be elected by the parent/carers of a child at the school at the time of election,
- Staff Local Governors** Up to 2 will be elected by staff employed by E21C at the School at the time of the election (one not from the Senior Leadership Team)

Plus the **Headteacher/Head of School** who shall, in addition to exercising their office as a Local Governor, provide such information to the LGB as necessary to allow the LGB to discharge its duties including, but not limited to, the provision of a written report to each meeting.

Employees of E21C should always be less than 50% of the total membership of the LGB.

2 TERMS OF OFFICE

The terms of office for all Local Governors (with the exception of the Headteacher / Head of School) is 4 years and will run from the date of appointment by E21C Trust or from the date of election by parents/carers or staff.

The term of office for the Headteacher/Head of School will be for the time that they hold the post.

Subject to remaining eligible to be a Local Governor, any Local Governor may stand again at the end of their 4 year term for re-appointment / re-election.

Staff and Parent Local Governors

Staff Local Governors shall be elected by the staff at the School.

Parent Local Governors will be elected by parents. A parent must have a child at the School at the point of election, however they may complete their full term, should their child leave the School during this time. If insufficient parents stand for election, the Trustees can appoint Parent Local Governors. “Parent” is defined as including “any individual who has parental responsibility for, or cares for, a child or young person under the age of 18”.

The Clerk will request that the School organises an election, whenever a Parent or Staff vacancy or vacancies arise(s). Nominations will be requested with a brief statement from the candidate why they wish to stand and, in the case of parents, the name and address of

two seconders, who must also be parents. Once nominations have been received, parents or staff will be asked to vote and the candidate(s) having the most votes will be elected.

Additional Local Governors

Additional Local Governors will be appointed by the Trustees of E21C and may be recommended by the LGB. An additional Local Governor will ordinarily be a local individual who has stated an interest to be involved in the School's development and whose skills, experience and competencies will benefit the LGB in carrying out its function.

3 REMOVAL OF LOCAL GOVERNORS

A Local Governor's office will terminate if:

- any event or circumstance occurs which would disqualify him or her from the office of Trustee under the Articles were he or she to hold such office.
- he or she resigns from office by notice to the LGB, copied to E21C.
- he or she is a Staff Local Governor and ceases to be employed by E21C.
- he or she is removed by the Trustees in circumstances where they consider (acting reasonably) that it is in the best interests of E21C to remove the Local Governor and such decision will be notified to the LGB.

A Trustee of E21C may only be a member of an LGB when it is designated as an Interim Representative Body (IRB); an IRB is a temporary measure, implemented by the Trustees when the Trustees have necessarily invoked their intervention rights (see section 19).

4 THE CHAIR AND VICE-CHAIR OF THE LGB

Please note that a Local Governor who is paid to work at the School is not eligible for the office of Chair or Vice-Chair.

Subject to the reserved right of the Trustees of E21C to appoint a Chair and / or Vice-Chair, ordinarily, the Chair and Vice-Chair will be appointed each year by the LGB. The Clerk will ask for self-nominations over the summer holidays and those nominations will be presented at the first meeting of each academic year. If no nominations are received over the summer holidays, nominations will be accepted at the first meeting. The name of the successful nominees will then be forwarded to the Board of Trustees of E21C for approval.

The Chair and Vice-Chair will have a term of office of 1 year and the term of office will end on the 31st August each year. The Chair and Vice-Chair are each eligible for further terms of office as Chair and Vice-Chair respectively.

The Trustees are entitled to remove the Chair and / or Vice-Chair from office at any time, although this would be without prejudice to the individual's position as a Local Governor.

The role of the Chair and Vice-Chair

The Chair will ensure that all LGB business is conducted openly and that all Local Governors are given equal opportunities to participate fully in all discussions and decision making and to express their views at meetings.

The Chair and the Clerk will chiefly be responsible for correspondence between meetings and for reporting in full any actions undertaken on behalf of the LGB.

The Chair, if present, shall chair any meeting of the LGB. In the absence of the Chair, the Vice-Chair shall chair the meeting. In the absence of both the Chair and the Vice Chair from any meeting thereafter, those present will elect from amongst their number a person to take the Chair for that meeting only.

The Chair will be responsible for ensuring that agenda items are given due consideration for all issues to be raised but also giving due regard to the time allocation for the meeting.

The Chair may deny the discussion of any matter not relevant to the agenda or for which due notice has not been given.

The Chair is responsible for ensuring that the evaluation and monitoring of the LGB is reported to the Trustees on an annual basis, as per the quality standards. In discharging this obligation, the Chair will prepare a short form report on the work of the LGB for the previous year to be presented to the Trustees at their first meeting in each school year.

The Vice-Chair will be responsible for ensuring that training is available for Local Governors, as appropriate, and is responsible for organising panels (see section 18).

5 MEETINGS OF THE LGB

The LGB will meet six times in each academy year (two times per school term). The first meeting in each year will consider the appointment of the Chair and Vice-Chair and the vision for that year. The final meeting will include a review of the year.

Normally, meetings will be convened by the Clerk in consultation with the Chair of the LGB. However, meetings may also be called at the request of the Chair of the LGB or the Board of Trustees.

LGB meetings will be held at the School at an agreed time of XX:XX and will be limited to 2.5 hours.

Where business has not been completed within the agreed time, those Local Governors present, and forming a quorum, may resolve to continue the meeting in order to deal with the business notified on the agenda.

6 QUORUM

Decisions cannot be taken at an LGB meeting unless there is a minimum number (quorum) of Local Governors present.

The quorum requirement for LGB meetings is 4 of the total number of Local Governors holding office at the date of the meeting. One of the 4 Local Governors present must be the Headteacher/Head of School or in their absence, the CEO of E21C or the CEO's

representative which will be notified in advance to the Clerk of the LGB. A meeting shall be terminated if the number of Local Governors present ceases to constitute a quorum. Where a meeting is not held or is terminated before all the matters specified as items of business on the agenda for the meeting have been disposed of, a further meeting shall be convened by the Clerk as soon as is reasonably practicable, but in any event within seven days of the date on which the meeting was originally to be held or was so terminated.

7 PERSONAL INTERESTS OF LOCAL GOVERNORS

Local Governors shall complete a register of their business interests, which shall be reviewed annually.

Any Local Governor who has any duty or personal interest that conflicts or may conflict with his or her duties as a Local Governor shall:

- disclose that fact to the LGB as soon as he or she becomes aware of it. A Local Governor must absent himself or herself from any discussions of the LGB in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the School and such duty or personal interest
- withdraw from any meeting for that item unless expressly invited to remain in order to provide information
- not be counted in the quorum for that part of any meeting; and
- withdraw during the vote and have no vote on the matter.

8 APPOINTMENT OF THE CLERK

The Clerk to the LGB is appointed by the LGB and remunerated from the Core Services payment.

The Clerk to the LGB should ensure that the work of the LGB complies with the E21C Scheme of Delegation for [XXX] School. The Clerk will also ensure that the LGB acts fully with the Governors Guide to the law and that all members have a fully copy. S/he will liaise with E21C to ensure appropriate advice about the responsibilities of the LGB is communicated regularly.

The Clerk will be responsible for:

- convening meetings in accordance with the directions of the LGB or as directed by the Chair;
- organising agendas in consultation with the Headteacher/Head of School and the Chair;
- taking minutes at LGB meetings;
- maintaining a register of business interests of LGB members;
- writing correspondence on behalf of the LGB;
- maintaining LGB records, including Local Governors' attendance records, contact details and signed Code of Conduct;

- publishing attendance records of Local Governors and any other information required to be published in accordance with the Academies Financial Handbook (as amended from time to time);
- maintaining training records for all Local Governors;
- reporting to the LGB as required on the discharge of the Clerk's functions; and
- performing such other functions as shall be determined by the LGB from time to time.

9 AGENDA

The Agenda will be prepared by the Clerk in consultation with Headteacher/Head of School, E21C's CEO (or their representative), Chair and Vice-Chair. The Chair will finalise the Agenda with the Clerk.

The agenda of each meeting should include:

- Apologies for absence
- Non-confidential and confidential minutes of the last meeting
- Matters arising from the minutes
- Reports for the relevant meeting
- Standards and school improvement
- Date and time of the next meeting
- Any other business (with the permission of the Chair)
- Any confidential items.

The Clerk will send out a reminder to LGB regarding items for the agenda two weeks before each meeting.

The Agenda will be circulated at least 7 clear days before the meeting, with accompanying papers. The Chair only can, occasionally, allow papers to be circulated at short notice if s/he deems it to be essential to the effectiveness of the LGB.

Papers will only be tabled at meetings when their consideration is urgent for the effective, safe or compliant running of the School.

Any Local Governor wishing to raise an urgent item at the meeting must give notice at the start of the meeting. The LGB will decide whether any such item will be discussed or dealt with at a subsequent meeting. 'AOB' will not be a recurrent agenda item.

10 ATTENDANCE

Apologies should be sent to the Clerk in advance.

The time of arrival and/or departure of any Local Governor will be recorded in the minutes.

E21C officers and Trustees can attend any meeting of the LGB as observers/ advisers whether of their own volition or invited by the LGB.

11 MINUTES

Attendance at each LGB meeting, issues discussed and recommendations for decisions shall be recorded and the minutes signed by the Chair at the next meeting of the LGB.

Within 10 working days of the meeting, the draft minutes will be sent by the Clerk to the Chair, Vice-Chair and Headteacher/Head of School for checking. A copy of the full set of minutes shall be sent to the Clerk to the Trustees once approved by the Chair.

Those minutes, which the LGB determines as confidential, will be minuted on a separate sheet and copies will not be publicly available (Part Two minutes) but may be available in some cases if FOI request received.

Recommendations received from Committees or Working Groups will be recorded in the minutes.

A copy of the Part One minutes will be held in the School office.

12 CORRESPONDENCE

All incoming correspondence to the LGB is for the attention of the whole LGB whether addressed to the Chair, Clerk or Local Governors and must be sent to the Clerk. No Local Governor will enter into any correspondence without the knowledge of the Clerk and without the authority of the Chair or, in his / her absence, the Vice-Chair. The Clerk will receive and log all correspondence to the LGB.

The Clerk will forward all correspondence to the Chair or to the Headteacher/Head of School as appropriate, who will in turn keep him/her informed of the action they take. Where the correspondence has arrived to him/her via a Local Governor, he/she will keep this Local Governor informed of actions taken in response.

The Clerk will present all significant items to the next meeting of the LGB.

13 DECISION MAKING

All decisions must be made by the LGB except those delegated to the Headteacher/Head of School, another individual or a Committee of the LGB. The LGB cannot instruct E21C nor can the LGB take any decisions that conflict with E21C's Articles.

The LGB's chief adviser is the Headteacher/Head of School. The LGB is also advised by E21C officers as appropriate.

Every question to be decided upon at a meeting of the LGB shall be determined by a majority of the votes of Local Governors present and voting on the question. Votes tendered by proxy shall not be counted.

Where there is an equal division of votes, the Chair has a casting vote.

The Local Governors may act notwithstanding any vacancies, but, if the number of Local Governors is less than the number fixed as the quorum, the continuing Local Governors may

act only for the purpose of filling vacancies or requesting that the Trustees fill vacancies (as appropriate).

Decisions of the LGB are binding on all its members.

The LGB decides if delegated matters are dealt with by a committee or by a named Local Governor.

14 PUBLIC STATEMENTS

With the exception of the Chair, Vice-Chair and Headteacher/Head of School, no Local Governor will make any public statement about any matter concerning the School without the authority of the LGB. All public statements about sensitive/contentious issues must be authorised by the CEO of E21C or his / her representative.

15 DELEGATION OF FUNCTIONS

No action may be taken by an individual Local Governor unless authority to do so has been delegated formally by resolution of the LGB and recorded in the minutes.

16 COMMITTEES

The Trustees of E21C allow the LGB to establish Committees to carry out certain functions of the LGB. Any Committee so established will act strictly in accordance with the terms of the delegation set out in Appendix 1. The LGB may only delegate functions which have been delegated to it, by the E21C Board under this Scheme of Delegation.

When establishing Committees, the LGB will:

- Determine the membership (unless otherwise determined by the Trustees as set out in Appendix 1)
- Allow that membership to select the Committee Chair (who must be a Local Governor)
- Determine procedures for reporting back to the LGB.

The LGB may allow non-Local Governors to attend Committees when needed but they may not form a majority, and they do not have a vote.

The Headteacher/Head of School is a member of every Committee. S/He may delegate this role to a member of the Senior Leadership Team with the agreement of the CEO or his/her representative.

The LGB may decide to not form any Committees and in this scenario, the LGB will discharge all of the delegated functions set out in Appendix 1 as appropriate.

17 WORKING GROUPS

The Trustees of E21C allow the LGB to establish Working Groups to focus on certain issues in an advisory capacity and the Trustees themselves may establish Working Groups across one or more Schools.

When establishing Working Groups, the LGB will:

- Determine the membership (or agree membership with the Trustees if the Working Group will be established across several Schools)
- Establish the terms of reference
- Determine procedures for reporting back to the LGB.
- The Headteacher/Head of School has a right to attend any Working Group meeting.

The LGB or Headteacher/Head of School may, at E21C's request, nominate Local Governor advisers for functions retained by E21C (e.g. Capital projects, cross-Trust working parties)

18 PANELS

Statutory panels to consider pupil discipline, exclusions, complaints, staff dismissals and grievances, and appeals will be established by the LGB each with delegated authority to make decisions on behalf of the LGB.

Each panel will consist of 3 Local Governors, which will not include the Headteacher or staff Local Governors. For certain panels, for example Complaints, an independent non-Local Governor may be asked to attend as the third panel Local Governor. This is following best practice and supports the element of impartiality. Where necessary, Trustees and Local Governors from other LGBs within E21C may be asked to attend at another school.

The forming of these panels will normally be at the request of the school through the Vice Chair. Due to the ad hoc nature of the meetings of these panels, it is expected that the Local Governors would vary on each occasion, however they would be expected to have completed the relevant training for that panel.

The Headteacher will not have right of attendance at panel meetings - Staff Dismissal Panel, Pupil Discipline Panel or the Staff Dismissal Appeals Panel, except when presenting a case, information or evidence.

Panel meetings will follow a set agenda and be minuted by the Clerk to the LGB or an alternative clerk appointed by the panel. The overall process and actions required will generally be documented in the relevant policy.

19 INTERVENTION IN TIMES OF CONCERN

The Trustees of E21C remain ultimately responsible for E21C and the conduct of the Schools. The operation of the various elements of governance are crucial to its success. However, there will be circumstances (more the exception than the norm) where the Trustees might need to intervene and, for example, withdraw delegated authority for a particular element of governance including a LGB.

In such circumstances, the Trustees and / or their representatives would work closely with any School or Schools concerned and those involved in their governance who would be expected to promptly implement any advice or recommendations made by the Trustees and the senior leadership team.

The Board of Trustees reserves the right to review or remove any power or responsibility which it has delegated and / or put in place an IRB, in particular, in circumstances where serious concerns in the running of a School or Schools are identified (either internally within E21C or by a third party), including where:

- there are concerns about financial matters
- E21C's minimum expected standards (**MES**) are not met to the satisfaction of the Trustees
- insufficient progress is being made against educational targets (including where intervention by the Secretary of State is being considered or carried out)
- there has been a breakdown in the way the School is managed or governed
- the safety of pupils or staff is threatened, including a breakdown of discipline; or
- the Trustees consider such removal of power or responsibility appropriate in all of the circumstances.

20 ALTERATIONS

This Scheme of Delegation (including Appendix 1 and Appendix 2) may be altered by a majority resolution of the Trustees of E21C. Appendix 3 may be altered by a majority resolution of the Members of E21C.

Appendix 1 - Delegation to Committees and Individuals

The LGB may appoint any or all of the following committees:

- Students, Curriculum and standards
- Finance, Buildings and Premises
- Staffing and Development

The LGB shall name four named Local Governors for monitoring specific aspects of the School's provision and reporting annually to the relevant Committee and LGB as follows:

- Special Educational Needs (SEN) – to ensure that provision is in accordance with the LGB's policy on SEN;
- Sex and Relationships Education (SRE) – to ensure that provision is in accordance with the LGB's policy on SRE;
- Safeguarding – to ensure that provision is in accordance with the LGB's policy on Safeguarding and Child Protection;
- Health and Safety – to ensure that provision is in accordance with the LGB's policy on Health and Safety

Other Committees

The LGB may, from time to time, appoint any or all of the following committees:

- Admissions Committee – delegated to Students and Curriculum Committee
- Pay Committee
- Pay Appeals Committee(s)
- Pupil Discipline Committee

1 Policies in relation to Committees

Policies in E21C fall into two categories:

A = Advisory (LGBs and Headteachers/Heads of School are requested to consult the E21C Advisory version of the policy in the process of creating their local, school-based version. The code often reads A + L [Local])

M = Mandatory – E21C schools are required to:

1. Follow this policy.
2. Support E21C and its Headteachers/Heads of School in review of existing, and introduction of new mandatory policies.

2 Terms of Reference/Delegation– Students, Curriculum and standards Committee

To consider and advise the LGB on matters related to curriculum, students and standards.

- To consider the advice of the Headteacher/Head of School and E21C and other relevant sources and then advise the LGB about the curriculum policy of the School; and related curriculum policies;
- To monitor student progress and report to the LGB;
- To review test and examination results and consider and advise the LGB about strategies to raise attainment;
- To consider curriculum and standards issues which have implications for Finance and Staff and report this to the LGB (alerting the other Committees through the minutes of this Committee);
- To monitor procedures and approaches underpinning the curriculum (e.g. setting, marking, assessment and reporting, SEN and exceptionally able support) and advise the LGB;
- To ensure provision of RE and Collective Worship is consistent with current DfE guidelines;
- To receive reports about reviews of subjects and other curriculum areas, teaching and learning, and standards and make recommendations to the LGB;
- To consider the policies listed below, on a cyclical (or on some occasions, urgent) basis and make recommendations to the LGB.
- To ensure the School's website meets all best practice requirements, especially statutory ones.

Delegated

- To act as the Admissions Committee for the LGB;
- To direct reinstatement of excluded students as agreed by the Discipline Committee following a hearing and review;
- To review external directions to admit certain students;
- To monitor the provision of free school meals; and quality and value for money of school meal provision and report actions to the LGB;

Membership

Four Local Governors appointed by the LGB and both the Headteacher/Head of School and Chair of Local Governors as ex-officio (if Chair not 'appointed').

Clerk

The Clerk is appointed by the LGB.

Attendance

The Committee may ask the CEO or any other Trustee or their representative and any other senior executive to attend meetings of the Committee either regularly or by invitation, in order to provide information.

Voting

The quorum for each meeting shall be 2 appointed Local Governors and the Headteacher / Head of School. Decisions of the Committee shall be taken by a simple majority of those present and voting. The Chair will have a casting vote on an equality of votes.

Meetings

The Committee shall meet termly on such dates as shall be determined by the Committee from time to time and at such other time as the Clerk shall specify at the request of any member of the Committee.

Unless otherwise agreed, notice of each meeting confirming the venue, date and time together with an agenda shall be sent to each member of the Committee and any other person invited or required to attend no fewer than seven clear days prior to the date of the meeting.

Minutes

The Clerk will minute the proceedings and resolutions of the Committee and ascertain, at the beginning of each meeting, the existence of any conflicts of interest and minute them accordingly.

Minutes of each Committee meeting will be sent to all members of the Committee and the E21C Board within ten working days of the meeting.

POLICIES

Curriculum

Acceptable use of ICT – Staff

Acceptable use of ICT - Students

(M & L) - Assessment

(A & L) - Collective Worship

(A & L) - Curriculum

(A & L) - Drugs Education including Drugs Incident Procedure

(A & L)- Exam Entry including Exam Internal Appeals

(A & L) - Exam Internal Appeals
(A & L) - Extra-curricular
(A) - First Aid including Students with Medical Needs
(A & L) - Homework
(L) - Learning and Teaching
(A & L) - Off-site Educational visits
(A & L) - PSHCE
(A & L) - SEND
(A & L) - Sex and Relationship Education

Student

(M) - Admissions
(M & L) - Allegations against staff
(A & L) - Anti-bullying
(A & L) - Attendance
(A & L) - Behaviour including Exclusions and Reasonable Use of Force
(A) - Home-School Agreement
(B) (A & L) - More Able
(M & L) - Safeguarding Policy and Procedure
(A & L) - Uniform

Management General

L = School Content

A = E21C Advisory Core Policy

M = Mandatory E21C policy

3 Terms of Reference/Delegation – Finance, Buildings and Premises Committee

To consider and advise the governing body on matters related to finance, building and premises:

- To consider the school's indicative funding, notified annually first by the ESFA and then by E21C Trustees, and to assess its implications for the school, in consultation with the Headteacher/Head of School, in advance of the financial year, drawing any matters of significance or concern to the attention of the LGB.

- To receive and make recommendations on the broad budget headings and areas of expenditure to be adopted each year in the school's delegated budget, including the level and use of any contingency fund or balances, ensuring the compatibility of all such proposals with the priorities set out in the development plan and the this Scheme of Delegation.
- To consider and then recommend acceptance of the allocations within the school's delegated budget, at the start of each financial year.
- To liaise with and receive reports from the Curriculum, Students and Standards and the Staffing and Development committees, as appropriate, and to make recommendations to those committees about the financial aspects of matters being considered by them. In particular, to contribute to the formulation of the school's development plan, through the consideration of financial priorities and proposals for use of the delegated budget, in consultation with the Headteacher/Head of School and the first review by the Staff and Development Committee.
- To monitor, review and challenge agreed budget expenditure on a regular basis and ensure compliance with the overall financial plan and financial procedures of the school (and with the financial regulations of the ESFA and E21C), drawing any matters of concern to the attention of the governing body. To review virements or proposed virements in accordance with the school's financial procedures of E21C.
- To assist E21C to review procedures for ensuring the effective implementation and operation of financial procedures.
- To review the school's list of preferred suppliers and oversee procurement/or contractor appointments in line with the financial procedures of E21C.
- To review the internal audit (Responsible Officer) reports.
- To review health and safety within the school.

Membership

Four Local Governors appointed by the LGB and both the Headteacher/Head of School and Chair of Local Governors as ex-officio (if Chair not 'appointed').

Clerk

The Clerk is appointed by the LGB.

Attendance

The Committee may ask the CEO or any other Trustee or their representative and any other senior executive to attend meetings of the Committee either regularly or by invitation, in order to provide information.

Voting

The quorum for each meeting shall be 2 appointed Local Governors and the Headteacher / Head of School. Decisions of the Committee shall be taken by a simple majority of those present and voting. The Chair will have a casting vote on an equality of votes.

Meetings

The Committee shall meet termly on such dates as shall be determined by the Committee from time to time and at such other time as the Clerk shall specify at the request of any member of the Committee.

Unless otherwise agreed, notice of each meeting confirming the venue, date and time together with an agenda shall be sent to each member of the Committee and any other person invited or required to attend no fewer than seven clear days prior to the date of the meeting.

Minutes

The Clerk will minute the proceedings and resolutions of the Committee and ascertain, at the beginning of each meeting, the existence of any conflicts of interest and minute them accordingly.

Policies

Finance

(M & L) - Accessibility Plan

(M) - Company Accounts including Best Value

(A) - Charging and Remissions (including use of Pupil Premium)

(M) - Gifts and Hospitality including Anti-Bribery, Fraud and Corruption

(A) – Lettings

(M) - Minibus

(M) - Procedures Handbook

(A & L) - Risk Management

Management General

(A) – Critical Incident

(M) – Data Protection/Privacy Notices

(A) - Health & Safety

(A) - Security

A = E21C Advisory Core Policy

M = Mandatory E21C policy

4 Terms of Reference/Delegation – Staffing and Development (SD) Committee

To consider and advise the governing body on matters relating to staffing, remuneration, performance and development (within the context of E21C mandatory policy).

- To review the staffing structure in relation to the Curriculum, School Development Plan and Financial context and advise the LGB;
- To make recommendation to the Finance Committee (and through them the LGB) about staff related expenditure;
- To ensure E21C Pay Policy is being properly implemented and advise the LGB;
- To ensure E21C performance management policies and procedure are being properly implemented and report to the LGB;
- To monitor the impact of performance management in school;
- To agree the first draft of the annual School Development Plan to be circulated to other Committees and the LGB;
- To work with E21C to support panels for Grievance, Disciplinary, Capability, Appeal, staff Absence and all Termination of Employment (except Headteacher / Head of School) procedures;
- To note the decision of the E21C Headteacher/Head of School Pay and Performance group;
- To monitor the impact of professional development opportunities and advise the LGB;
- To review the (mostly mandatory) policies listed below, on a cyclical basis and make recommendations to the LGB and CEO of E21C about potential amendments for E21C consideration.
- To ensure that members of the LGB have access to relevant training.

Membership

Four Local Governors appointed by the LGB and both the Headteacher/Head of School and Chair of Local Governors as ex-officio (if Chair not 'appointed').

Clerk

The Clerk is appointed by the LGB.

Attendance

The Committee may ask the CEO or any other Trustee or their representative and any other senior executive to attend meetings of the Committee either regularly or by invitation, in order to provide information.

Voting

The quorum for each meeting shall be 2 appointed Local Governors and the Headteacher / Head of School. Decisions of the Committee shall be taken by a simple majority of those present and voting. The Chair will have a casting vote on an equality of votes.

Meetings

The Committee shall meet termly on such dates as shall be determined by the Committee from time to time and at such other time as the Clerk shall specify at the request of any member of the Committee.

Unless otherwise agreed, notice of each meeting confirming the venue, date and time together with an agenda shall be sent to each member of the Committee and any other person invited or required to attend no fewer than seven clear days prior to the date of the meeting.

Minutes

The Clerk will minute the proceedings and resolutions of the Committee and ascertain, at the beginning of each meeting, the existence of any conflicts of interest and minute them accordingly.

Disqualification: Any person employed to work at the school other than as Headteacher/Head of School, when the subject for consideration is the pay or performance of any person employed to work at the school.

POLICIES

(M) - Capability Guidance and Procedure

(M) - Code of Conduct

(A) - Cover

(M) - Disciplinary

(M) - Equal Opportunities

(A) - Equalities Information and Objectives

(M) - Grievance

(M) - Pay

(M) - Recruitment and Selection including Safer Recruitment

(M) - Staff Absence including Sickness Procedure

(M) - Teacher Appraisal

(M) - Whistle Blowing

Management General

(M) - Complaints

(M) - Freedom of Information

A = E21C Advisory Core Policy

M = Mandatory E21C policy

5 Terms of Reference/Delegation – Pay Committee

To support E21C and the Headteacher/Head of School in ensuring that E21C [XXX] School Pay Policy is fairly applied in a way that is consistent with agreed policy.

Delegated

- To ratify the decisions of the Headteacher/Head of School about performance related pay and progression for all staff outside the teachers' leadership group, at the conclusion of the annual performance review round(s)
- To ratify the decisions of the Headteacher/Head of School about progression to Upper Pay Range
- To receive the recommendations of the Headteacher/Head of School about the pay of those on the leadership pay range; and to satisfy themselves that these recommendations have been endorsed by E21C's CEO or his representative and to decide on leadership pay in the light of these recommendations
- To ratify the decision of the E21C Performance Management Review Group for the Headteacher/Head of School
- To satisfy itself that E21C [XXX] School Performance Management and Pay Policies have been applied to all staff
- To report to the LGB about the pattern of Performance Management and Pay outcomes; and fair application of current policies across [XXX] School.

Membership

Chair of Local Governors, Chair of Finance & Buildings, Chair of Staff and Development plus one other Local Governor and Headteacher/Head of School

Advisers

CEO of E21C or their representative

Quorum = Headteacher/Head of School, Chair of Staffing and Development and Chair of Local Governors and a E21C Adviser

Meetings

The Committee shall meet annually, usually in the Autumn term as shall be determined by the Committee from time to time.

Performance Management and Pay Appeals

- To hear appeals against the decision of the Headteacher/Head of School or the decision of the Pay Committee (Leadership Range) in relation to individual members of staff

Members

TBD by the Chair of Trustees of E21C and the Chair of the LGB as appropriate

Note

Throughout these processes it is the duty of Local Governors and Trustees, as far as possible, to protect information about individual's salaries. Decisions relate to pay progression NOT to pay levels, which are fixed at time of appointment.

Appendix 2 - Code of Conduct

It is the responsibility of Local Governors to:

- Act within the governing document and the law – being aware of the contents of the organisation’s governing document and the law as it applies to E21C.
- Act in the best interest of E21C as a whole and avoiding bringing E21C into disrepute
- Act within and ensure that the School acts within E21C’s MES.
- Manage conflicts of interest effectively – registering, declaring and resolving conflicts of interest. Not gaining materially or financially unless specifically authorised to do so and never above an ‘at cost’ basis.
- Respect confidentiality – understanding what confidentiality means in practice for E21C, its board and the individuals involved with it.
- Have a sound and up-to-date knowledge of the relevant school(s) and its environment – understanding how the relevant school(s) works and the environment within which it operates.
- Attend LGB meetings and other appointments or give apologies – considering other ways of engaging with the organisation if regularly unable to attend meetings. Lack of attendance/engagement in meetings may be referred to E21C by the Chair and / or the Clerk.
- Prepare fully for meetings and all work for the relevant school(s); reading papers, querying anything you don’t understand and thinking through issues in good time before LGB meetings. Provide rigorous, constructive challenge to the Headteacher / Head of School.
- Actively engage in discussion, debate and voting in meetings – contributing positively, listening carefully, challenging sensitively and avoiding conflict.
- Act jointly and accept a majority decision – making decisions collectively, standing by them and not acting individually unless specifically authorised to do so.
- Work considerately and respectfully with all – respecting diversity, different roles and boundaries, and avoiding giving offence. In particular, comments of a racist, sexist, or otherwise discriminatory or offensive nature will not be tolerated, and disciplinary action may be taken against the Local Governor concerned.
- Engage proactively in professional development in order to enhance your effectiveness in your role as a Local Governor.
- Ensure you uphold fundamental British values:
 - - Democracy
 - - Rule of Law
 - - Individual liberty
 - - Mutual respect and tolerance for different beliefs and faiths
 - - Respect for all people
- As a Local Governor of E21C ensure that you uphold the seven principles of public life: selflessness; integrity; objectivity; accountability; openness; honesty and leadership (Lord Nolan).

Local Governors are expected to honour the content and spirit of this code. Failure to do so can be a reason for suspension as a Local Governor of E21C.

Code of Practice Understanding and Agreement:

Name of School:

Name:

Signed:

Date:

Appendix 3 - Reserved Matters

The Reserved Matters are:

Members

(subject to such other consents / requirements as might be required by law or the Funding Agreement)

- 1 To change the name of the Schools or E21C
- 2 To change the Objects (which would require Charity Commission and Secretary of State consent in any event)
- 3 To change the structure of the Board of Trustees
- 4 To amend the Articles of Association
- 5 To amend this Scheme of Delegation
- 6 To pass a resolution to wind up a School or E21C
- 7 To appoint the auditors (save to the extent that the Trustees may make a casual appointment)

Trustees

(subject to such other consents / requirements as might be required by law or the Funding Agreement)

- 1 To change the name of the Schools
- 2 To determine the educational character, mission or ethos of the Schools
- 3 To adopt or alter this Scheme of Delegation including terms of reference of any committee of the Board of Trustees (including LGBs)
- 4 To terminate a supplemental funding agreement for a School
- 5 To establish a trading company
- 6 To sell, purchase, mortgage or charge any land in which E21C has an interest
- 7 To approve the annual estimates of income and expenditure (budgets) and major projects
- 8 To appoint investment advisors
- 9 To sign off the annual accounts
- 10 To appoint or dismiss the CFO, the CEO, the Headteachers / Heads of School, the Company Secretary or the Clerk to the Trustees
- 11 To settle the division of executive responsibilities between the Trustees on the one hand and CEO, the Headteachers / Heads of School on the other hand, and to settle the division of executive responsibilities between those individuals

- 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 of it)
- 13 To determine all HR matters relating to any E21C employee who is funded (wholly or in part) through the Central Core service payment
- 14 To do any other act which the Articles expressly reserve to the Board of Trustees or to another body
- 15 To do any other act which the Board of Trustees determine to be a Reserved Matter from time to time