



# Scheme of Delegation

July 2024 Update  
Approved July 2024

## Contents:

1.0 Glossary of Terms	p3
2.0 Introduction	p4
3.0 Roles and Responsibilities	p4
a) Trust Members	p4
b) Trustees	p5
c) Trust Risk, Audit and Compliance Committee	p6
d) Trust Finance & People Committee	p7
e) Clerk at all levels of Governance	p7
f) Chief Executive Officer and Accounting Officer	p8
g) Local Governing Bodies	p9
h) Headteachers	p10
4.0 The Schedule of the Scheme of Delegation	p12
5.0 Policy overview	p18
6.0 Appendices	p19
• Governance Structure Diagram and Overview	
• Terms of Reference RAC Committee	
• Terms of Reference Finance and People Committee	

## 1.0 Glossary of Terms

AFH – Academies Financial Handbook  
AO – Accounting Officer  
CEO – Chief Executive Officer  
CFO - Chief Financial Officer  
COO – Chief Operations Officer  
DfE – Department for Education  
ESFA – Education and Skills Funding Agency  
FPC – Finance and People Committee  
HT – Headteacher  
LGB – Local Governing Body  
RACC – Risk, Audit & Compliance Committee  
RSC – Regional Schools Commissioner  
SDP – School Development Plan  
SEF – Self Evaluation Form  
TDP – Trust Development Plan

## 2.0 Introduction

*This Scheme of Delegation has been written to provide the detail and overview of accountabilities, responsibilities and arrangements for the EKC Schools Trust. The Scheme of Delegation should be read in conjunction with the Trust Articles of Association.*

This scheme applies to the schools in the Trust. The Scheme would apply to any other school joining the Trust.

The Trust is a charitable company (a company limited by guarantee and an exempt charity) which exists for the provision of education.

Full details of the accountabilities, responsibilities and arrangements are set out in the schedule, section 4.0 of the Scheme of Delegation

## 3.0 Roles and Responsibilities

### a) Trust Members

As a charitable company limited by guarantee, the Trust has Members who have a similar role to the shareholders in a company limited by shares.

Trust Members:

- are signatories to the Articles of Association
- may, by special resolution, amend the Articles of Association, subject to the Trust's funding agreement and charity law
- may, by special resolution, appoint new members or remove existing members
- have power to appoint Trustees, as set out in the Articles of Association and the power under the Companies Act to remove any or all the serving Trustees
- ensure the appointment of new Trustees is in accordance with the skills, knowledge and expertise required to fulfil the core functions of the Board of Trustees
- fully delegate the strategic management of the Trust and all monitoring functions to the Board of Trustees
- fully delegate the completion and submission of the annual Trustees Report to the Board of Trustees
- appoint the Trust's Auditors and receive the Trust's annual audited accounts

- following direction from the Secretary of State, have power to change the name of charitable company and ultimately 'wind up' the Trust
- may instruct Trustees to convene a general meeting at any time where Trustees may contribute but not vote
- will meet at least once per annum to complete an overview of the effectiveness of the delegated functions of the Trust.
- ensure the ESFA is informed of any changes to Members within 14 days
- Will ensure all meetings are formally minuted and made publicly available

Employees of the Trust cannot be appointed as Members and no Trustees will be appointed as Members in the EKC Schools Trust.

### **b) The Board of Trustees**

Directors /Trustees are bound by both charity and company law. Therefore, the terms 'Directors' and 'Trustees' are often interchangeable. The EKC Schools Trust uses the Term Trustee for this role.

The Board of Trustees are legally accountable for managing the business of the Trust and may exercise all the powers of the Trust. The appointment of the Accounting Officer does not remove the responsibilities of the Trustees for the conduct and financial operation of the Trust. The focus of the Trust Board is to fulfil the three-core function of Governance:

- Setting the strategic direction of the Trust
- Holding the CEO to account for improving the Trust and the overall effectiveness of the Academies within the Trust
- Ensuring the financial health, probity and value for money of the Trust

Trustees:

- will ensure compliance with the Trust's charitable objectives and comply with company and charity law
- sign off the annual accounts and ensure adherence to the Trust's funding agreement with the Secretary of State
- delegate to the CEO for the operational running of the EKC Schools Trust
- decide on the functions delegated to the Local Governing Bodies of the Academies within the Trust
- are accountable to the ESFA, DfE and RSC and Ofsted

- conduct an annual review of the Governance structure and ensure it is fit for purpose and effective
- ensure there is less than a 3<sup>rd</sup> of the Trust Board employed by the Trust
- elect a Chair to the Board annually, who will not be employed by the Trust
- ensure the ESFA is informed within 14 days of any changes to the Trust Board
- Will ensure all meetings are formally minuted and made publicly available

Where the Board of Trustees determined risk or cause for concern to the performance of an academy within the Trust, additional support will be commissioned to ensure the risk is addressed, whilst maintaining existing levels of delegation. Risk will be determined by overall school performance, including outcome data, effectiveness of leadership, effectiveness of safeguarding, Ofsted judgements, stakeholder feedback and financial and administrative performance.

Following an initial period of additional support, the Board of Trustees may determine the level of delegation to ensure effective leadership within the Academy to mitigate against identified risks.

A specific schedule would be set out in the form of a Rapid Improvement Plan with the intent of rectifying issues and supporting the Academy in returning to the full Scheme of Delegation. The intervention could involve reducing the delegated powers of an LGB and in extreme and exceptional cases of ineffectiveness Governance at a local level, the Trust Board could take the decision to remove all delegated authority.

All decisions will be discussed with the CEO and the LGB.

### **C) The Risk, Audit and Compliance Committee**

The purpose of the committee is to advise the Board of Trustees on its systems of internal control, risk management and corporate governance arrangements. It is responsible for assessing and providing the Board of Trustees with an opinion on:

- The adequacy and effectiveness of the Trust's assurance arrangements
- The framework of governance
- Risk management and controls
- Processes for the effective and efficient use of resources
- The solvency of the Trust and the safeguarding of assets

Other duties include:

- Advise the Board on the appointment, re-appointment, dismissal and remuneration of the external auditor
- Commissioning an internal audit programme linked to key risks

Committee Members:

- will elect a Chair for the committee
- ensure there are a minimum of 3 Trustees on the committee, plus the CEO
- adhere to the protocols, ethos and policies of the Trust
- comply with the Terms of Reference for the committee
- will ensure all meetings are formally minuted and made publicly available

#### **D) The Finance & People Committee**

The Trust will have a Finance and People Committee to which the Trust Board delegates financial scrutiny and oversight and those matters relating to its People. The committee will ensure the Trust adheres to the Academy Trust Handbook (ATH) and fully comply with the Trust's funding agreement with the Secretary of State and any other legal requirements relating to its People, as necessary. The committee will advise the Board on the effective financial management of the Trust, review the expenditure and budgets of the academies and oversee all aspects of financial management, holding the CEO to account.

Committee Members:

- will elect a Chair for the committee
- ensure there are a minimum of four Trustees on the committee, plus the CEO, COO and CFO
- adhere to the protocols, ethos and policies of the Trust
- comply with the Terms of Reference for the committee
- adhere to the ATH and the Academies Accounts Direction
- will ensure all meetings are formally minuted and made publicly available

#### **E) Clerking at all levels of Governance**

The Clerk to the Board of Trustees and Members will be appointed (and if required removed) by the Board of Trustees.

The Clerks to the LGBs will be appointed (and if required removed) by the LGBs.

Roles and responsibilities for the Clerks within the Trust will be outlined within Job Descriptions but the key areas of responsibility are set out below.

Clerks within the Trust:

- will have a clear understanding of the Articles of Association, Scheme of Delegation and key policies, procedures and operational documents of the Trust
- will understand the core functions of the level of Governance which they support and adhere to the Terms of Reference for the Board or Committee
- support and guide the Board or Committee in ensuring they adhere to their core functions and responsibilities
- maintain up to date records of membership including national requirements of publicising information
- ensure the Chair of the Board or committee and the CEO are kept informed of all important information in a timely manner
- maintain a register of Business Interests
- maintain a record of attendance and absence
- take accurate minutes and ensure they are publicly available

#### **F) Chief Executive Officer and Accounting Officer (AO)**

The CEO has the delegated responsibility for the operation of the Trust, including the performance of the Academies within the Trust. The CEO reports to the Board of Trustees on the strategic performance of all aspects of the Trust. The detailed responsibilities of the CEO are set out in the Job Description but their core function of the executive role is to ensure the highest standards of education for all pupils and young people within the Trust.

The CEO is the AO for the Trust and has the legal responsibilities of this role to the Secretary of State through the ESFA. Therefore the AO must provide assurance to the ESFA that the Trust remains in strong financial health.

The CEO / AO:

- will take responsibility for assuring the Board of Trustees that there is compliance with the Trust's funding agreement and the AFH



- will complete and sign the annual statement on regularity, propriety and compliance and submit to the ESFA with the Trust's audited accounts
- demonstrate how the Trust has secured value of money via the governance statement in the audited accounts
- ensure the highest standards of education across the Trust

### G) Local Governing Bodies

The EKC School Trust will maintain the core role of a Local Governing Body for each academy within the Trust and delegate certain functions to the LGB. The purpose of the LGB is to champion the Trust's ethos and uphold the individual vision and values of the individual academy. It will support and challenge the Headteacher and monitor the key performance indicators to provide focused governance at a local level.

LGBs:

- comply with the roles, responsibilities and functions as set out in the Scheme of Delegation
- set out the vision for the academy within the Trust in adherence with Trust policies and ethos
- ensure the school complies with the Trust policies and implement the school level policies
- ensure asset management systems are adhered to within the school
- ensure local arrangements for the effective supervision and implementation of local maintenance and building works
- hold the HT to account for the highest standards of compliance including all aspects of health and safety and safeguarding
- produce a Health and Safety report for the Trust Board 3 x per year
- review the Risk Register annually and support and hold the HT to account to mitigate against risk
- determine the membership of the LGB, in consultation with the CEO and ensuring balanced representation of the school's stakeholders including a staff representative and parents
- appoint Governors to the LGB and establish committees and key roles as appropriate to the needs of the school and the school's priorities. These must include identified roles for monitoring and evaluating safeguarding,

health and safety, compliance, Pupil Premium Spend, pupils with Special Educational Needs and finance

- ensure all meetings are effectively minuted and actions and outcomes are published and provided to the CEO and Board of Trustees
- ensure declarations of interest are appropriately recorded and managed professionally and effectively any conflicts of interest
- monitor and evaluate the implementation and impact of the School Development Plan
- monitor and evaluate the appropriateness, relevance and impact of the school's curriculum on standards, with particular attention to vulnerable groups, including those disadvantaged and with SEND. Ensure the school meets the statutory duties for curriculum entitlement
- scrutinises the school's self evaluation and ensure it is commensurate with the LGBs evaluation of the school and its overall effectiveness
- monitor behaviour, exclusions and attendance of pupils, including those disadvantaged and those with SEND and ensure adherence to all related school policies
- take responsibility for recruiting and performance managing the Headteacher, with support and advice from the CEO
- participate as a member of a panel hearing as required
- ensure arrangements are in place for the implementation and monitoring of the Admissions Policy within the school
- follow roles and responsibilities set out in the Trust Complaints Policy
- represent the school in an Ofsted Inspection
- ensure minutes and activities of the LGB are available to the CEO and Board of Trustees

## H) Headteachers

The role of the HT (or most Senior Leader within any individual academy) is responsible for the day to day leadership and management of their own school. The HT is the lead professional in the academy and reports to the Local Governing Body and CEO.

The recruitment and annual performance management of the Headteacher is undertaken by the LGB with the support and advice of the CEO.

Headteachers:

- will lead on school improvement within their own school
- deliver on school performance and report to the CEO and LGB
- ensure school and Trust policies are fully implemented
- design and implement a curriculum that meets the needs of learners
- take responsibility for the performance of staff within the individual academy
- ensure all statutory duties are met
- ensure safeguarding is effective

## 4.0 Scheme of Delegation

### EKC Schools Trust

#### OPERATIONAL SCHEME OF DELEGATED AUTHORITY (RACI)

<b>R</b>	<b>Responsible</b>	Carries out process or task and/or makes a recommendation
<b>A</b>	<b>Accountable</b>	Provide approval/take ultimate decision
<b>C</b>	<b>Consulted</b>	Consulted before a decision or action is taken
<b>I</b>	<b>Informed</b>	Informed that a decision or action is taken

	Trust Members	Trustees	Finance & People Committee	Risk, Audit, Compliance Committee	CEO/AO	CFO	LGB	Headteachers
<b>Governance</b>								
Articles of Association	A	C&I			R	I	I	I
Scheme of Delegation	I	A	C&I	I	R	I	C&I	C&I
Appointment & removal of Members	A&R	C&I			I	I	I	I
Appointment & removal of Trustees	A&R	A&R			C&I	I	I	I
Election of Chair of Trust Board	I	A&R			C	I	I	I
Constitution & LGB Terms of Reference	I	A			C	I	R	C
Appointment of Chair of LGB		A			C	I	R	C
Appointment of LGB governors		A&I			C	I	R	C
Removal of Chair or Governors of LGB		A&I			R	I	C&I	C&I
Appointment of Clerk for Trust		A			R	I	I	I
Appointment of Clerk for School		A			I	I	R	C
Appointment of Legal Counsel	I	A			R	I	I	I
Appointment of other non-board Committee members of Trust		A&R			I	I	I	I
Managing conflicts of interests	I	A			R	I	R	I
Determining Trust Board meeting frequency/agenda	I	A&R			C	I	I	

	Trust Members	Trustees	Finance & People Committee	Risk, Audit, Compliance Committee	CEO/AO	CFO	LGB	Headteachers
Determining LGB meeting frequency/agenda		I			A	I	R	C&I
Determining Finance & People Committee meeting frequency/agenda		A	C	I	C	R	I	I
Determining RAC Committee meeting frequency/agenda		A&R	I	C	C	I	I	I
Trust Board training	I	A&C	C	C	R	C	I	I
LGB training		I			A		R	C&I
School Specific Complaints		I			I		R, A&I	I
Complaints to Ofsted		I			C		R, A&I	I
Complaints to ESFA		I			A	R	C&I	I
<b>Strategic governance</b>								
Strategic vision, values and objectives of the Trust	I	A			R		C	C
Strategic vision, values and objectives of a Trust school		C&I			C&I		A&R	C&I
<b>Education</b>								
Determining school performance targets	I	A			R		C&I	C&I
Monitoring performance	I	A			R		C&I	C&I
Statutory assessment returns (to DfE/KCC)		I			I		A	R
Assessment integrity		I			I		A	R
Change of age range or PAN	I	C&I			A		R	C&I
Change to admissions arrangements		I			C&I		A	R
Determining admissions (application of oversub criterion)					C&I		A	R
In-year admissions					I		A	R
Change to curriculum		I			I		A	R

	Trust Members	Trustees	Finance & People Committee	Risk, Audit, Compliance Committee	CEO/AO	CFO	LGB	Headteachers
Change to school day					C		A	R
Term dates and INSET dates		I			C&I		A	R
Cross-Trust assessments/reporting		A			R		I	I
Written self evaluation of Trust		A			R		I	I
Written self evaluation of Schools		I			C		A	R
Trust-Level Development/Strategic Plan		A			R		I	I
School Development/Strategic Plan					C		A	R
Ofsted inspection	I	I			C	I	A	R
<b>Finance (also see Financial SoD/Trust finance policy)</b>								
Appoint external auditors	A	I	I	R	C	C	I	I
Appoint Bankers	I	A	C		C	R	I	I
Agree internal audit procedures	A	I		R	C	R	I	I
Approve Trust Annual Report and Statutory Accounts	I	A	C&I	R	C	R		I
Approve Trust budget plan		I	A		C	R	C&I	I
Approve school budget plan		I	A		C	C	R	C&I
Entering into funding agreement		A	I		R	C	I	I
Approval of negative budget variance		A	C		C	R	I	I
Approving pay scales		I	A		C	R	C&I	I
Determining Executive pay		A	R		I	C		
Monitoring performance related pay schools		I	A		C	C	R	I
Monitoring performance development process		I			C		A&R	C&I
Contracts over x value		I	A		C	R	I	I
Contracts over x length		I	A		C	R	I	I
Determining financial limits (financial SoD)		A	C		C	R	I	I

	Trust Members	Trustees	Finance & People Committee	Risk, Audit, Compliance Committee	CEO/AO	CFO	LGB	Headteachers
<b>Staffing</b>								
Appoint & PM CEO	I	A&R					I	I
Appoint & PM CFO	I	A	C		R		I	I
Dismissal, suspension or redundancy of CEO	I	A&R			I	I	I	I
Dismissal, suspension or redundancy of CFO	I	A			R	I	I	I
Performance Management of Headteachers					A		R	
Appointment of Headteachers	I	I	C		A		R	C&I
Dismissal, suspension or redundancy of Headteacher	I		I		A		R	C&I
Appointment & PM - other school based staff					I	I	A	R
Restructuring of School		I	C&I	I	A	C	R	C&I
Staff well-being in schools		A			R	R	R	I
<b>Children &amp; students (+ accident/ incident reporting)</b>								
Exclusions - fixed term		I			I		A&R	I
Exclusions - permanent		I			I		A&R	I
Safeguarding (practice/training/activity)		I					A	R
Safeguarding S176 review				I	C&I		A&R	C&I
Safeguarding Trust Audit				A	R		I	C&I
Health & Safety Exec reportable accident					C&I		A	R
Other accident					I		A	R
Pupil/parent incident reporting							A	R
SEND strategy/impact		I			A		R	R
Pupil premium strategy/impact		I			A		R	R
Sports grant strategy/impact		I			A		R	R
<b>Infrastructure including facilities</b>								
Long term lease or disposal of assets		A	C		R		I	I
One off and annual lettings			I		C&I	C&I	A	R

	Trust Members	Trustees	Finance & People Committee	Risk, Audit, Compliance Committee	CEO/AO	CFO	LGB	Headteachers
Regular lettings (longer than 1 year)			I		C&I	C&I	A	R
Structural changes to buildings/land			I		C&I	C&I	A	R
School condition allocations			I		C&I	C&I	A	R
School maintenance					I		A	R
Finance, Payroll & HR Central Service		A			R	R	I	I
ICT: school-based devices							A	R
ICT: school-based educational software							A	R
ICT support provision							A	R
ICT infrastructure (e.g. servers, broadband)							A	R
<b>Compliance</b>								
Risk Register		I		A	R		C&I	C&I
Ensure compliance with all statutory and regulatory requirements (inc. Health & Safety)		A		I	C&I		R	R
H&S Trust Audit		A		R	R		I	C&I
Police called					I		A	R
Fire plan and training				I	I		A	R
Evacuation plan and training				I	I		A	R
Lock-down plan and training				I	I		A	R
First-aid provision and training				I	I		A	R
EVC (oversight and training)				I	I	R&A	A	R
Policies relating to Trust Compliance				A	R		I	I
Trust website compliance {DfE, AFH, Co Law, Charity Law, Ofsted)				A	R		I	I
School website compliance {with DfE, Ofsted)				I	A		R	R
Pupil Census & rectum			I	I	I		A	R
Official finance returns			I		I	A	R	R



	Trust Members	Trustees	Finance & People Committee	Risk, Audit, Compliance Committee	CEO/AO	CFO	LGB	Headteachers
Workforce census (incl. Gender Pay Gap reporting)			I		A	R	I	I
Freedom of Information Act request (FOIA)		I			A&R		I	I
GDPR strategy (incl. registration with ICO)				A	R		I	I
Data breach				A	R		R	I
Insurance				A	R		I	I
<b>Communications</b>								
Trust website	I	I			A&R	I	I	I
School website					I		A	R
School specific parental communications							A	R
Cross-Trust parental communication					A	I	C&I	C&I
Board comms (Members and Trustees comms)		A&R			C&I	I		
Governor comms (LGB Chair and local governors)					C&I		A&R	I
Other Trust committee comms			A&R	A&R	C&I	A&R		
Press Crisis		I			A&R	I	C&I	C&I
Good news school press		I			I	I	A	R
Trust branding incl. logos, artwork, signage		I			A&R		I	I
School branding incl. logo, uniform, signage, prospectus'							A	R

## 5.0 Policy Overview for EKC Schools Trust

*Below is a list of the policies, procedures and other statutory documentation that must be in place, available on the website and monitored by governance structures.*

### EKC Schools Trust Policies – Ratified and Monitored by the Trust Board

- Equality and Diversity Policy
- Complaints Policy
- Whistleblowing Policy
- Safeguarding and Child Protection Policy
- Charging and Remissions Policy
- Health & Safety and Premises Management Policy
- Data Protection Policy
- Fixed Asset and Depreciation Register
- Risk Register
- Disaster Recovery Plan
- Trust Accounting and Finance Policy
- Appraisal and Pay Policy
- Staff Conduct
- Staff Discipline, conduct and grievance policy

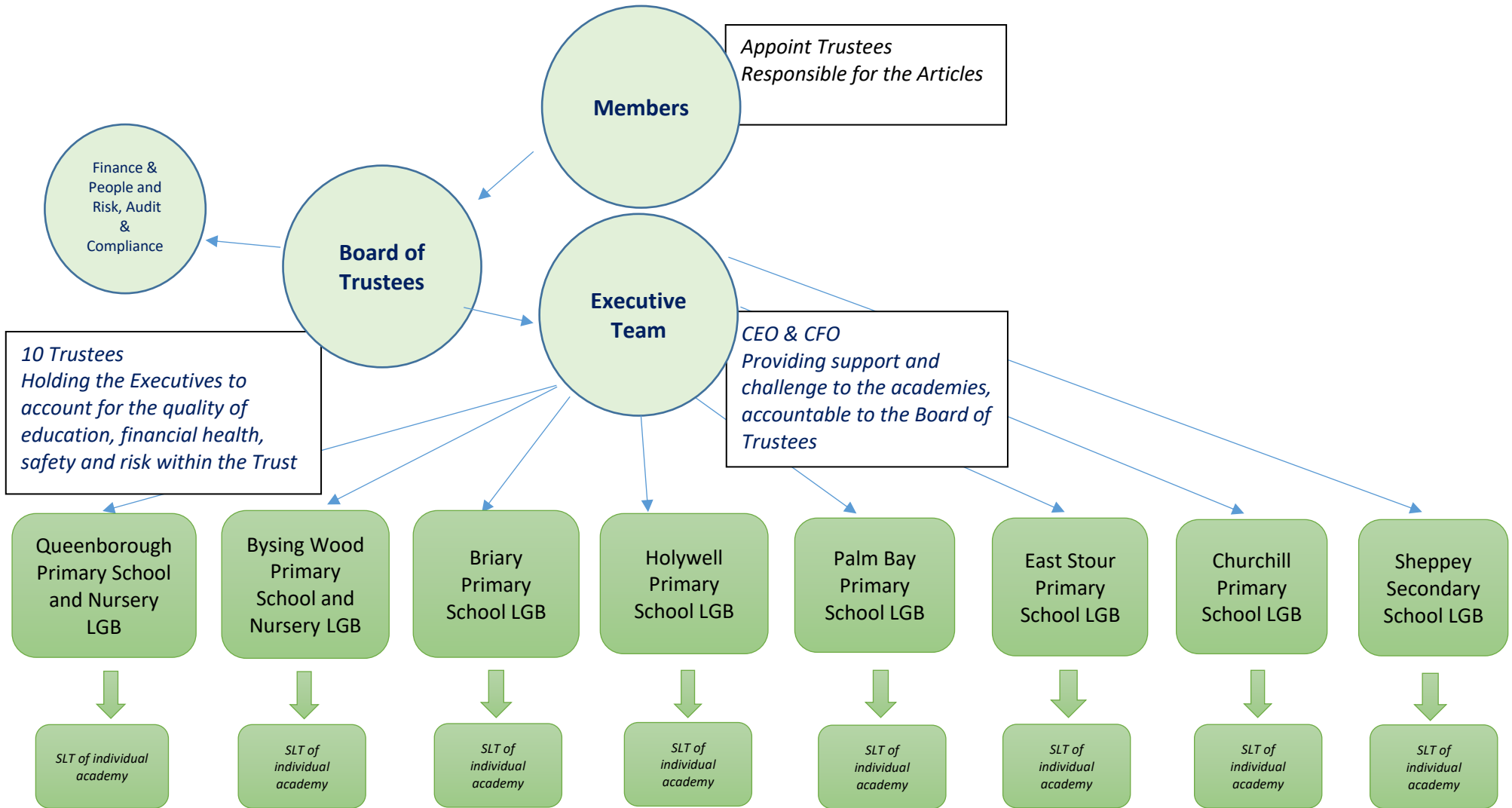
### Local Academy Policies – Ratified and Monitored by Local Governing Bodies

- Admissions Policy and Procedure
- Curriculum Policies
- Behaviour Policy
- Acceptable Use Policy
- Accessibility Plans
- Pupils with medical conditions
- Pupil Premium statement
- Sex Education Policy
- Special Educational Needs Policy
- Single Central Record
- Home / School Agreement
- Minutes of Local Governing Body Meetings
- Registers of Attendance

*EYFS must be explicitly referred to in each policy or schools must have a separate EYFS policy*

6.0 Appendix 1

EKC Schools Trust Organisational Diagram and Brief Overview



### Members Responsibilities:

- Appoint the Trustees
- Determine the Articles of the Trust

### Trust Board Responsibilities:

- Set the vision, ethos and strategy for the EKC Schools Trust and its academies over the next three to five years;
- Establish the governance structures for the Academy Trust, from Members to Academy level, in keeping with the Articles of Association;
- Provide clarity, through the published Terms of Reference
- Determine Human Resources policy and practice
- Oversee each Academy's budget
- Assess the risks for each Academy
- Set the level at which LGBs will have authority and accountability through the scheme of delegation
- Ensure there is a strong and effective executive leadership structure and personnel in place across the Trust
- Overview and scrutiny of the Academy Trust's financial capability and management systems to ensure compliance with the Academies Financial Handbook, and deliver best value for money
- Develop the Trust Board to ensure it has the capacity, skills and succession plans to have a positive impact on outcomes for pupils.

### Executive Team Responsibilities:

- Ensure senior leaders within Academies are challenged to improve the education of pupils;
- Oversee and scrutinise Academies' education performance data
- Support Local Governors in their core functions to ensure the continual improvement of the school

### Local Governing Body responsibilities:

- Set the vision of the individual academy within the vision, ethos and values of the EKC Schools Trust
- Work with the Executive Team to hold the Senior Leaders to account, manage the performance of the Headteacher and recruit new Senior Leaders
- Monitor the school budget and ensure best practice and value for money
- Monitor and evaluate the performance of the quality of education within the academy

### Senior Leadership Team Responsibilities:

- Lead the school effectively to ensure a high standard of education
- Design and implement a curriculum that meets the needs of all learners
- Manage the day to day running of the school

## Terms of Reference for the Risk, Audit and Compliance Committee

### 1. Constitution

- 1.1 The Trust Board (“the Board”) has resolved to establish a Risk, Audit and Compliance Committee to advise the Board on matters relating to the Trust’s audit arrangements and systems of internal control and to aid the Board’s responsibility to ensure sound management of the Trust’s finances and resources, including proper planning, monitoring and probity.
- 1.2 The Risk, Audit and Compliance Committee is responsible to the Board.

### 2. Authority

- 2.1 The Risk, Audit and Compliance Committee is authorised to investigate any activity within its terms of reference or specifically delegated to it by the Board. It is authorised to request any information it requires from any Member, Trustee, employee, external audit, internal audit or other assurance provider.
- 2.2 The Risk, Audit and Compliance Committee is authorised to obtain any outside legal or independent professional advice it considers necessary, normally in consultation with the Accounting Officer and/or Chair of the Board.
- 2.3 The delegated responsibilities for the Committee are outlined in the Scheme of Delegation and should be instrumental in driving the roles and responsibilities of the Finance & People Committee

### 3. Duties

The duties of the Risk, Audit and Compliance Committee (RAC) are to:

- 3.1 Advise the Board and Accounting Officer on the adequacy and effectiveness of the Trust’s governance, risk management, internal control and value for money systems and frameworks. An annual report will be produced by the RAC Committee in this regard.
- 3.2 Advise the Board on the appointment, re-appointment, dismissal, and remuneration of the external auditor.
- 3.3 Advise the Board on the need for and then, where appropriate, the appointment, re- appointment, dismissal and remuneration of an internal auditor or other assurance provider.
- 3.4 Advise the Board on an appropriate programme of work to be delivered by independent assurance providers. This programme of work should be derived from the RAC Committee’s regard of the key risks faced by the Trust, the assurance framework in place and its duty

- to report to the Board as detailed in point 3.1 above.
- 3.5 Evaluate the significant risks faced by the Trust to reduce the likelihood of problems occurring and flag any major concerns and/or emerging risk to the Trustees Board.
  - 3.6 Review and monitor the management of significant risk, the approach and progress and make appropriate recommendations to help reduce the likelihood of unwelcome surprises or impact.
  - 3.7 Ensure that the less significant risks are being actively managed, with the appropriate controls in place and working effectively.
  - 3.8 Ensure that where a full internal audit service is commissioned the service provider complies with the standards set by the Chartered Institute of Internal Auditors. This will mean the internal audit provider must conform to the Public Sector Internal Audit Standards.
  - 3.9 Review the external auditor's annual planning document and approve the planned audit approach.
  - 3.10 Receive reports (assignment reports, annual reports, management letters etc) from the external auditor, internal auditor and other bodies, for example the ESFA, and consider any issues raised, the associated management response and action plans. Where deemed appropriate, reports should be referred to the Board or other committee for information or action.
  - 3.11 Regularly monitor outstanding audit recommendations from whatever source and ensure any delays to agreed implementation dates are reasonable.
  - 3.12 Review the performance of the external auditor, internal auditor, or other assurance provider, annually.
  - 3.13 Ensure that all allegations of fraud or irregularity are managed and investigated appropriately.
  - 3.14 Consider any additional services delivered by the external auditor, internal auditor or other assurance provider, as appropriate.
  - 3.15 Ensure external (and internal) auditor independence is maintained.
  - 3.16 Ensure appropriate cooperation and coordination of the work of the external auditor and internal auditor
  - 3.17 Meet with the external auditor and internal auditor or other assurance provider, without management present, at least annually.

#### 4 Administration

- 4.1 The Risk, Audit and Compliance Committee (RAC) will meet at least 3 times per year. The Chair or any two members may call a meeting.
- 4.2 The RAC Committee will consist of at least three members of the Board. Additionally, up to two external co-opted members with particular expertise may also be appointed who are not members of the Board. At least one of the members should have relevant financial experience. The Chair of the Board cannot be a member of the RAC Committee.

- 4.3 The Chair of the RAC Committee will be appointed by the Board and will not be a member of any other committee. If the chair is absent from a meeting, the members shall choose another member, who is also a member of the Board, to act as chair for that meeting.
- 4.4 The RAC Committee will be quorate if two members are present and more than 50% of those members present are Board members.
- 4.5 The Accounting Officer, Chief Financial Officer and other members of the Trust's staff may be invited to attend but will have no voting rights.
- 4.6 Administrative support will be provided by the Executive Support Officer/Director of Governance
- 4.7 Agendas will be agreed in advance by the Chair of the RAC Committee (based on, but not limited to, a pre-agreed annual schedule of activity) and papers will be circulated to members and attendees at least 5 working days in advance of the meeting.
- 4.8 Minutes of meetings will be taken and will be submitted in the next scheduled meeting of the Board once approved in draft by the Chair of the RAC Committee.
- 4.9 The Board will review these terms of reference and request the Risk, Audit and Compliance Committee to self- assess its performance against these terms of reference on an annual basis and feedback to the Board.
- 4.10 The members of the Committee shall hold office from the date of their appointment until the resignation or their omission from membership of the Committee on subsequent consideration by the Board (whichever shall first happen).
- 4.11 The Board must not add to these terms of reference responsibilities that require the RAC Committee to adopt an executive role, or its members to offer professional advice to the Board. The RAC Committee should seek formal professional opinions from the internal audit service, financial statements auditor or other professional advisers to the Board. Advice should only be given in Committee members' capacity as Trustees and co-optees and only within their terms of reference.
-



## Terms of Reference for the Finance and People Committee

### 1. Constitution

- 1.1 The Trust Board (“the Board”) has resolved to establish a Finance and People Committee to advise the Board on matters relating its people and the Trust’s finance arrangements and systems of internal control and to support the Board in maintaining the Trust as a going concern this includes supporting the Board’s responsibility to ensure sound allocation and monitoring of the Trust’s finances.
- 1.2 The Finance and People Committee is responsible to the Board.

### 2. Authority

- 2.1 The Finance and People Committee is authorised to request any reports or financial information for monitoring purposes or as specifically delegated to it by the Board.
- 2.2 The Finance and People Committee is authorised to refer any area for further investigation to the Risk, Audit and Compliance Committee, normally in consultation with the Accounting Officer and/or Chair of the Board.
- 2.3 The delegated responsibilities for the Committee are outlined in the Scheme of Delegation and should be instrumental in driving the roles and responsibilities of the Finance Committee

### 3. Duties

The Finance and People Committee will exercise responsibility for and the oversight of:

- a. The overall finances of the EKC Schools Trust
- b. The annual budget (for recommendation to the Board)
- c. The monitoring of the budget throughout the financial year
- d. The MAT charging policy and oversight of income generation and lettings policies (where applicable)
- e. Financial procedures (including compliance with ESFA and DFE funding rules and guidance); delegation of spending authority and virement policies
- f. Insurance arrangements
- g. The preparation of the annual report and accounts (for presentation to the Board)
- h. Establish and monitor KPIs with regards to financial matters
- i. Approve expenditure between £50,000 - £100,000 (within the approved Trust Budget).
- j. Workforce census (incl. Gender Pay Gap reporting) (March meeting)
- k. Equality, Diversity and Inclusion (January meeting)

- l. Staf Well-Being (June meeting)
- m. Specific School Staffing arrangements as outlined in the Scheme of Delegation (as necessary)

#### 4 Administration

- 4.1 The Finance and People Committee will meet at least four times per year. The Chair or any two members may call a meeting.
- 4.2 The Finance and People Committee will consist of at least four members of the Board, one of whom must be the Chair of Trustees. Additionally, up to two external co-opted members with particular expertise may also be appointed who are not members of the Board. At least one of the members should have relevant financial experience. Members of the Risk, Audit and Compliance Committee may not be a member of the Finance and People Committee
- 4.3 The Chair of the Finance and People Committee will be appointed by the Board and will not be a member of any other committee. If the chair is absent from a meeting, the members shall choose another member, who is also a member of the Board, to act as chair for that meeting.
- 4.4 The Finance and People Committee will be quorate if two members are present and more than 50% of those members present are Board members.
- 4.5 The Accounting Officer, Chief Financial Officer, Chief Operating Officer will be Officers in attendance and other members of the Trust's staff will be invited to attend but will have no voting rights.
- 4.6 Administrative support will be provided by the Clerk to the Board.
- 4.7 Agendas will be agreed in advance by the Chair of the Finance and People Committee (based on, but not limited to, a pre-agreed annual schedule of activity) and papers will be circulated to members and attendees at least 5 working days in advance of the meeting.
- 4.8 Minutes of meetings will be taken and will be submitted in the next scheduled meeting of the Board once approved in draft by the Chair of the Finance and People Committee.
- 4.9 The Board will review these terms of reference and request the Finance and People Committee to self- assess its performance against these terms of reference on an annual basis and feedback to the Board
- 4.10 The members of the Committee shall hold office from the date of their appointment until their resignation or their omission from

membership of the Committee on subsequent consideration by the Board (whichever shall first happen).

- 4.11 The Board must not add to these terms of reference responsibilities that require the Finance and People Committee to adopt an executive role, or its members to offer professional advice to the Board. Advice should only be given in Committee members' capacity as Trustees and co-optees and only within their terms of reference.