

# **Diocese of Bristol Academies Trust**

## **Scheme of Delegation**

**Last updated 06/02/17 (Version 4)**

### History of most recent changes

Date	Page	Change	Origin of Change e.g. EFA request, Change in legislation
7/5/15	27	Add bullet to align Financial delegations with DBAT Financial Procedures	Internal, for consistency with PS Financials operations.
7/5/15	66	Amend diagram to reflect Main Board Standards Committee nomenclature change	Internal, to avoid confusion with Academy Standards Committees.
06/02/17		Extensive review, amalgamation of Decision Tables, more detail on Local Board Procedures	Annual review

# Scheme of Delegation to Local Boards

## 1. Introduction

- 1.1 As a charity and company limited by guarantee, the Diocese of Bristol Academies Trust (the “Company”, “DBAT”) is governed by appointees of the Diocese of Bristol Academy Company (the “Directors”) who are responsible for, and oversee, the management and administration of DBAT and Academies run by DBAT (“Academies”).
- 1.2 DBAT is accountable to external government agencies including the Department for Education (“DfE”), the Education Funding Agency (“EFA”) and the Charity Commission (including any successor bodies), for the quality of the education provided by the Academies and its management of public funds and it is required to have systems in place through which it can assure itself of quality, safety and good practice.
- 1.3 In order to assist in the discharge of these responsibilities, the Board of Directors of DBAT (the “Main Board”) may appoint people who have connections to a particular Academy to serve on a committee of the Board of Directors (a “Local Board”) established to ensure the good governance of that Academy.
- 1.4 This Scheme of Delegation (this “Scheme”) explains the ways in which the Directors fulfil their responsibilities for the leadership and management of DBAT and the respective roles and responsibilities of the Main Board and the Local Boards.
- 1.5 This Scheme has been put in place by the Directors from the Effective Date in accordance with the provisions of DBAT’s Articles of Association (the “Articles”) and it should be read in conjunction with those Articles. This Scheme may be terminated or amended by the Main Board at any time by giving notice in writing to the Local Board. In considering any material changes to this Scheme, including termination, the Main Board will have regard to and give due consideration of any views of the Local Board.
- 1.6 References in this Scheme to numbered Articles are to the relevant clause of the Articles. A reference in this Scheme to a “clause” or “Appendix” is to a clause or Appendix of this Scheme. In any conflict between any provision of this Scheme and the Articles, the Articles shall prevail.

## 2. Academy Ethos and Purpose

2.1 The Company's Object as defined in the Articles is:

- *"to advance for the public benefit education in the United Kingdom, ... by establishing, maintaining, carrying on, managing and developing Academies which shall offer a broad an balanced curriculum and which shall include:*

- (i) Church of England schools designated as such which shall be conducted in accordance with the principles, practices and tenets of the Church of England both generally and in particular in relation to arranging for religious education and daily acts of collective worship and in having due regard to any advice issued by the Diocesan Board of Education, and*

- (ii) other Academies whether with or without a designated religious character, but in relation to each of the Academies to recognise and support their individual ethos, whether or not designated Church of England.*

2.2 The primary purpose of DBAT is to ensure that every DBAT pupil achieves the highest possible levels of attainment within an appropriate learning and built environment. DBAT comprises a number of such environments - the component Academies. While each Academy will operate within this Scheme independently through its Local Board, the ethos of DBAT is that all the Academies will work collaboratively, to enable pupils and staff to flourish and grow through an educational model where each of the component parts works together, with the strong supporting the weak and the weak challenging the strong.

2.3 Each Academy will work collaboratively with other Academies run by DBAT, noting in particular the close working links with cluster schools and Academies, and the wider family of Church of England schools, sharing resources, knowledge and best practice as may be appropriate with the following objectives in mind, supporting each other to:

2.3.1 Achieve consistently high standards of learning and teaching;

2.3.2 Develop curriculum design and collaboration which optimise opportunities for pupils and provide 'added value' progress for them; provide excellent information, advice and guidance in order to make informed choices; ensure effective learning behaviour and interpersonal relationships;

- 2.3.3 Provide support building upon individual specialisms and/or areas of identified strength between schools and academies to improve key aspects of performance;
- 2.3.4 Achieve best value in service delivery and financial management, especially where partnership working can add value.
- 2.4 A fundamental principle of the collaboration between Academies is that no Academy supporting another should profit from any inter-Academy charging arrangement, nor should any supported Academy expect to receive long term support at no cost. The principles of inter-Academy charging are detailed at Appendix 3.
- 2.5 While each Local Board shall be responsible for ensuring that the business of the Academy is conducted in accordance with its purpose and ethos, the determination of the Academy's purpose and ethos shall be the responsibility of the Main Board.
- 2.6 The Local Boards of Church of England Academies shall preserve and develop the religious character of their Academy in accordance with the principles of the Church of England and in partnership with the Church at parish and diocesan level.
- 2.7 The Local Boards of Academies not designated as having a religious character shall recognise and support the individual ethos of their Academy as a school not designated as having a religious character and shall maintain their Academy's relationship with the local community within which it is situated and which it serves.
- 2.8 No alteration to the religious character of any Church of England Academy or the conduct of any Church of England Academy as a Church of England school may be made without first consulting DoBAC.

### **3. Directors' Powers and Responsibilities**

- 3.1 The Directors have overall responsibility and ultimate decision making authority for all the work of DBAT. This is largely exercised through strategic planning and the setting of policy. It is managed through business planning, monitoring of budgets, performance management, the setting of standards and the implementation of quality management processes. The Directors have the power to direct change where required.
- 3.2 The Directors have a duty to act in the fulfilment of DBAT's Object.
- 3.3 Directors will have regard to the interests of all Academies for which DBAT is

responsible in deciding and implementing any policy or exercising any authority but will also recognise the responsibility of the Diocesan Director of Education to have regard to the interests of the other Church of England schools for which the Diocesan Board of Education is the “appropriate diocesan authority” under the Education Acts.

- 3.4 Pursuant to Article 100, the constitution, membership and proceedings of each Local Board are determined by the Directors and are as set out in this Scheme.

#### **4. Constitution of the Local Board**

##### **4.1 Members of the Local Board**

4.1.1 The composition of the members of the Local Boards (each a “Local Board Member”) shall be subject to the provisions of this section of the Scheme. The number of people who shall sit on a Local Board shall be subject to the limits (both in respect of the total number of Local Board Members and the number of Local Board Members belonging to discrete categories of member) set out in Appendix 4.

4.1.2 Nothing in this section or in Appendix 4 shall fetter the discretion of the Main Board to compose the Local Board in a different way should the school’s profile or circumstances demand it or where the Main Board determines that there is good reason to do so. In such cases, the Main Board shall advise the Local Board in writing of the total number of Local Board Members and the number of Local Board Members belonging to discrete categories of member which they may have.

4.1.3 The Main Board may also appoint one or more of their number to serve on a Local Board and attend any meetings of such Local Board. Any Director attending a meeting of a Local Board shall count towards the quorum for the purposes of the meeting and shall be entitled to vote on any resolution being considered by such Local Board.

4.1.4 All persons appointed or elected to the Local Board shall, as part of their application, give a written undertaking to the Directors to uphold the Object, purpose and ethos of DBAT as set out in this Scheme and as may be directed by the Main Board from time to time.

## 4.2 Appointment of members of the Local Board

4.2.1 This section of the Scheme sets out the criteria by which the Main Board (and any other relevant appointor) may appoint a person to serve as a Local Board Member.

4.2.2 A Local Board may (subject to clause 4.1.1 and clause 4.2.4 and Appendix 4) comprise Local Board Members of the following categories and such Local Board Members shall be appointed as follows:

(a) DBAT Members – appointed directly by the Main Board;

(b) Foundation Members – nominated by the appropriate Parochial Church Council and ratified by the Main Board in accordance with such Diocesan procedures as may be in place;

(c) Ex-officio Foundation Member – the principal officiating minister of the nominated parish for each Academy (see Appendix 6), or if s/he declines to act, a person appointed to act in his/her stead by the Archdeacon of the Archdeaconry in which the Academy is situated;

(d) Community Members – appointed by the Local Board, with the consent of the Main Board, provided that the person lives or works in the community served by the Academy or, in the opinion of the Local Board, is committed to the government and success of the Academy;

(e) Staff Members – elected by employees of DBAT working at the relevant Academy in accordance with such procedure as the Main Board may determine from time to time having regard, where more than one Staff Member is to be appointed, to the desirability of both teaching and non-teaching staff being represented on the Local Board;

(f) Parent Members – elected or appointed by parents of registered pupils at the relevant Academy in accordance with such procedure as the Main Board may determine;

(g) Principal – the Principal of each Academy shall be an ex-officio Local Board Member.

- 4.2.3 The Main Board shall either appoint a member of each Local Board to serve as the Chair of the Local Board or delegate this decision to the Local Board. The Chair of each Local Board shall have a term of office of one year. A person may be re-elected or re-appointed (as the case may be) to be the Chair of a Local Board provided that s/he remains a Local Board Member at such time.
- 4.2.4 The Local Board of an Academy or its predecessor school which is rated as being 'Inadequate' by OFSTED shall exclusively comprise Local Board Members appointed by the Main Board and the Main Board shall appoint such persons as it considers will be able to direct and oversee an improvement in the Academy. DBAT may consult with the DfE as to the strategy to be employed in trying to improve the Academy and appointments that might be made to the Local Board.

#### 4.3 Co-opted members of the Local Board

- 4.3.1 The Main Board or certain Local Boards (as indicated in Appendix 4) may appoint up to two persons to be 'Co-opted' to the Local Board to give additional assistance to the Local Board on specific projects or more generally but for a limited period of time. A person to be 'Co-opted' to a Local Board means a person who is to serve on the Local Board without having been appointed (pursuant to paragraph 4.2.2 of this Scheme) or elected to serve on the Local Board. No person who is employed at the Academy may be co-opted to the Local Board if thereby the number of persons employed at the Academy serving on the Local Board would exceed one third of the total number of persons serving on the Local Board (including the Principal). Such persons are appointed on terms approved by DBAT and shall have no voting rights.

#### 4.4 Term of office

- 4.4.1 The term of office for any person serving on a Local Board shall be four years, except that this time limit shall not apply:
- 4.4.1.1 to the Principal;
- 4.4.1.2 to persons who are 'Co-Opted' to the Local Board who shall serve for no longer than one year.



4.4.1.3 to the Ex-officio foundation member;

4.4.1.4 to parents whose child or children leave the school (who shall cease to be Local Board Members when they cease to have any children who are registered pupils at the Academy).

4.4.2 Subject to remaining eligible to be a particular type of Local Board Member, any person may be re-appointed or re-elected (including being 'Co-Opted' again) to the Local Board.

4.4.3 It is a requirement for all Local Board Members to have a Disclosure and Barring Service check on appointment to the role as Local Board Member.

#### 4.5 Resignation and removal

4.5.1 A Local Board Member shall cease to hold office if s/he resigns by notice to the Local Board or DBAT (but only if at least six persons will remain in office when the notice of resignation is to take effect).

4.5.2 A Local Board Member shall cease to hold office if s/he is removed by the person or persons who appointed him/her. While at the same time as acknowledging that no reasons need to be given for the removal of a Local Board Member by a person or persons who appointed him/her, any failure to uphold the values of DBAT and/or the Academy or to act in a way which is inappropriate in light of this Scheme will be taken into account. Any Local Board Member may also be removed by the Main Board if, in the reasonable opinion of the Main Board, that person is failing to adequately discharge his/her responsibilities or his/her continued membership of the Local Board is inappropriate for any other proper reason and this right to remove prevails over any provision of this Scheme or any other document issued by DBAT which is, or may appear to be, inconsistent therewith.

4.5.3 If a Staff Member ceases to work at an Academy then s/he shall be deemed to have resigned and shall cease to serve on the relevant Local Board automatically on cessation of his/her working at the Academy.

4.5.4 Where a Local Board Member resigns their office or is removed from office, that person or the Local Board shall give written notice to either the Local Board or the Main Board, as appropriate.

#### 4.6 Disqualification of members of the Local Board

- 4.6.1 No person shall be qualified to serve on a Local Board unless s/he is aged 18 or over at the date of his/her election or appointment. No current pupil of an Academy shall be entitled to serve on a Local Board.
- 4.6.2 A Local Board Member shall cease to hold office if s/he becomes incapable by reason of mental disorder, illness, injury or inability to manage or administer his/her own affairs.
- 4.6.3 A Local Board Member shall cease to hold office if s/he is absent without the permission of the Chair of the Local Board from all the meetings of the Local Board held within a period of six months and the Local Board resolves that his/her office be vacated.
- 4.6.4 A person shall be disqualified from serving on the Local Board if:
  - 4.6.4.1 Their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or
  - 4.6.4.2 The person is the subject of a bankruptcy restrictions order or an interim order; or
  - 4.6.4.3 The person is subject to disciplinary procedures and shall be suspended from the Local Board until these are resolved; or
  - 4.6.4.4 The person is subject to suspension from a post within the relevant Academy and shall be suspended from the Local Board until this is resolved.
- 4.6.5 A person shall be disqualified from serving on the Local Board at any time when they are subject to a disqualification order or a disqualification undertaking under the Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).
- 4.6.6 A person serving on the Local Board shall cease to hold office if they would cease to be a director by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).

- 4.6.7 A person shall be disqualified from serving on the Local Board if they have been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which they were responsible or to which they were privy, or their conduct contributed to or facilitated.
- 4.6.8 A person shall be disqualified from serving on a Local Board at any time if such person is:
- 4.6.8.1 on the children's barred list; or
- 4.6.8.2 a person who has previously been disqualified from being a governor of a Church of England or any other designated school.
- 4.6.9 A person shall be disqualified from serving on a Local Board if they are a person in respect of whom a direction has been made under section 142 of the Education Act 2002 or subject to any prohibition or restriction which takes effect as if contained in such a direction.
- 4.6.10 A person shall be disqualified from serving on a Local Board where, at any time, they have been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 of the Charities Act 2011.
- 4.6.11 A person shall be disqualified from serving on a Local Board if s/he has not provided to the Chair of the Local Board a disclosure and barring certificate at an enhanced disclosure level under section 113B of the Police Act 1997. In the event that the certificate discloses any information which would in the opinion of either the Chair or the Principal confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.
- 4.6.12 Where, by virtue of this Scheme, a person becomes disqualified from serving on the Local Board and was, or was proposed, to so serve, they shall upon

becoming so disqualified give written notice of that fact to the Local Board who shall inform the Main Board.

4.6.13 The whole of this clause 4.6 shall also apply to any member of any sub-committee of the Local Board who is not a Local Board Member.

#### 4.7 Suspension of members of the Local Board

4.7.1 The Local Board or the Main Board may by resolution suspend a Local Board Member for all or any meetings of the Local Board for a fixed period of up to 6 months on one or more of the following grounds:

4.7.1.1 that the Local Board Member, being a person employed by DBAT, is the subject of disciplinary proceedings in relation to his/her employment;

4.7.1.2 that the Local Board Member is the subject of proceedings in any court or tribunal, the outcome of which may be that he is disqualified from continuing to hold office as a Local Board Member under this Scheme;

4.7.1.3 that the Local Board Member is in breach of any provisions of the Code of Conduct for Local Board Members (as from time to time in force) which the Main Board believes has, or could, bring DBAT, the Local Board, the Main Board, the Academies or his/her office into disrepute;

4.7.1.4 that the Local Board Member has acted in a way that is inconsistent with the Object, purpose or ethos of DBAT, and has brought or is likely to bring DBAT, the Local Board, the Main Board, the Academies or his/her office into disrepute;

4.7.1.5 that the member is in breach of his/her duty of confidentiality to DBAT, the Local Board, the Main Board, the Academies, any member of staff or to any pupil at the Academy.

- 4.8 A resolution to suspend a Local Board Member from office shall not have effect unless the matter is specified as an item of business on the agenda for the meeting of which notice has been given.
- 4.9 Before a vote is taken on a resolution to suspend a Local Board Member, the Director/Local Board Member proposing the resolution shall at the meeting state his/her reasons for doing so. The Local Board Member who is the subject of the resolution shall then be given the opportunity to make a statement in response before withdrawing from the meeting.
- 4.10 In the event that a Local Board Member is suspended, s/he shall remain entitled to receive notices of, and agendas and reports or other papers, for meetings of the Local Board during the period of his/her suspension.

## **5. Delegated Powers**

### **5.1 General principles**

- 5.1.1 Subject to company law generally, provisions of the Companies Act 2006, the Articles and to any directions given by the Members of DBAT pursuant to a special resolution, the management of the business of each Academy shall be delegated by the Main Board to the Local Board who may exercise all the powers of DBAT in so far as they relate to the Academy, in accordance with the terms of this Scheme and in particular the relevant decision-making and referral matrices set out in Appendix 5 (“Decision Tables”). If a Local Board is uncertain as to where, or if, the Decision Tables deal with a particular matter, the Local Board should refer to a nominee of DBAT for guidance (being, unless otherwise resolved by the Main Board, a Diocesan Officer). The delegation of powers to a Local Board of an Academy which is rated as being ‘Inadequate’ by OFSTED shall be determined by the Main Board on a case by case basis, in accordance with the overall strategy employed in trying to improve that Academy.
- 5.1.2 Nothing in this section 5 or in Appendix 5 shall fetter the discretion of the Main Board to compose an Academy’s Decision Table in a different way should the school’s profile or circumstances demand it or where the Main Board determines that there is good reason to do so. In such cases, the Main Board shall advise the Local Board in writing of the Decision Table to be used.

- 5.1.3 No alteration of the Articles and no such direction shall invalidate any prior act of a Local Board which would have been valid if that alteration had not been made or that direction had not been given. Except as provided for in this Scheme, the powers given by this Scheme shall not be limited by any special power given to the Directors by the Articles or to the Local Board and a meeting of the Local Board at which a quorum is present may exercise all the powers so delegated.
- 5.1.4 In the exercise of any of its delegated powers and functions, a Local Board shall:
- 5.1.4.1 ensure that the Academy is conducted in accordance with the Object of DBAT, the terms of any trust governing the use of the land which is used for the purposes of the Academy, any agreement entered into with the Secretary of State for the funding of the Academy and this Scheme;
  - 5.1.4.2 promptly implement and comply with any policies or procedures communicated to the Local Board by the Main Board from time to time;
  - 5.1.4.3 review its own policies and practices on a regular basis, in view of any advice or recommendations made by the Main Board;
  - 5.1.4.4 act independently and not as agents of those who may have appointed them;
  - 5.1.4.5 work closely with the Main Board or committees of the Main Board and act with integrity, objectivity and honesty in the best interests of DBAT and the Academy;
  - 5.1.4.6 be open about decisions and be prepared to justify those decisions;
  - 5.1.4.7 keep confidential all information of a confidential nature obtained by them relating to the Academy and DBAT; and,
  - 5.1.4.8 adopt financial prudence in managing the financial affairs of the Academy in so far as these are delegated to them.
- 5.1.5 Each Local Board Member shall be required to take part in regular self-review and is accountable for meeting his/her own training and development needs.

It is a Local Board Member's responsibility to consider if, and raise any concerns where, s/he feels that appropriate training and development is not being provided.

- 5.1.6 The Local Board shall be expected to report to the Main Board or committees of the main board (Standards Committee) against key performance indicators which have been set for the Academy and provide such data and information regarding the business of the Academy and the pupils attending the Academy as the Main Board may require from time to time.

## 5.2 Levels of delegation

- 5.2.1 DBAT will operate its Academies with regard to a principle of 'earned autonomy' by which the degree of power delegated by the Main Board to a Local Board will depend on the success of the relevant Academy in its delivery of the provision of education. This will usually be based on the current OFSTED rating assigned to the Academy although the Main Board reserves the unfettered right to delegate additional powers to the Local Board and/or remove delegated authority in one or more areas as it sees fit.
- 5.2.2 The Decision Tables in Appendix 5 set out the usual delegated decision-making and referral matrices for the Academies. For Academies rated as being 'Inadequate' by OFSTED delegation shall be determined by the Main Board on a case by case basis.
- 5.2.3 If at any time the Main Board considers that it would be appropriate to delegate additional powers and/or remove delegated authority in one or more areas it shall inform the Local Board what powers shall be delegated or removed and the reasons for this. The Main Board shall have due regard to any representations made by the Local Board but shall not be bound by them.
- 5.2.4 The Main Board shall not remove delegated powers which would in any way affect either the religious character of a Church of England Academy or the individual ethos of an Academy not designated as having a religious character.

## 6. Operational Matters

- 6.1 Each Local Board shall:

- 6.1.1 operate in accordance with the provisions of Appendix 1 which deals with the day to day operation of the Local Board;
- 6.1.2 adopt and comply with all policies of the Main Board communicated to the Local Board from time to time;
- 6.1.3 review its policies and practices on a regular basis, having regard to recommendations made by the Main Board from time to time, in order to ensure that the governance of the Academy is best able to adapt to the changing political and legal environment;
- 6.1.4 consider any advice given by the Principal and any other executive officer as well as the Main Board;
- 6.1.5 ensure that each Academy is conducted in accordance with the Object of DBAT, and any agreement entered into with the Secretary of State for the funding of the Academy;
- 6.1.6 ensure that all Local Board Members act in accordance with the HM Treasury 'Code of Conduct for Board members in Public Bodies' and DBAT's Code of Conduct for Local Board Members;
- 6.1.7 do all such things as the Main Board may specify as being necessary to ensure that DBAT is meeting its regulatory and legal obligations;
- 6.1.8 provide such data and information regarding the business of the Academy and the pupils attending the Academy as the Main Board may require from time to time;
- 6.1.9 submit to any inspections by the Main Board (or its appointees) and any inspections pursuant to section 48 of the Education Act 2005 to assess how well the Academy is being managed in light of the additional responsibilities and expectations of schools that are Academies;
- 6.1.10 work closely with and shall promptly implement any advice or recommendations made by the Main Board;
- 6.1.11 ensure that the Main Board (and any DBAT or Diocese of Bristol employee so authorised by the Main Board) is provided with access to such information (whether held in electronic, paper or other form) as the Main Board may request and shall ensure that the Main Board (and any DBAT or Diocese of



Bristol employee so authorised by the Main Board) is provided with access to any and all computer systems used by the Academy;

6.1.12 ensure that, upon instruction by the Main Board, the Academy joins and properly uses any such centralised computer system as the Main Board may determine from time to time is required or beneficial in connection with DBAT's operation of the Academies.

6.2 While the undertaking of any activities that would be described as part of the Academy's 'extended schools agenda' or any activities designed to generate business income, will be the responsibility of the relevant Local Board, this shall only be undertaken in a manner consistent with any policy set by the Main Board and having regard to the viability of such activities, the impact on the Academy's activities and any financial implications, such as the threat of taxation in light of DBAT's charitable Object and any threat to funding provided by the Secretary of State. The Trust's trading income will be dealt with through its trading subsidiary.

6.3 In the event that any direction or recommendation of the Board are not implemented or the Local Board fails to act in accordance with this Scheme, the Directors expressly reserve the unfettered right to review or remove any power or powers or all powers and responsibility conferred on the Local Board under this Scheme.

## **7. Annual Review**

7.1 This Scheme shall operate from the Effective Date and shall be reviewed by the Main Board annually (or at such shorter interval as it may determine).

## APPENDIX 1

# FUNCTIONING OF THE LOCAL BOARD

## 1. CHAIR, VICE-CHAIR and Clerk OF THE Local Board

- 1.1 Each Local Board shall have a Chair, a Vice-Chair and a Clerk. The Chair of each Local Board shall be appointed in accordance with Appendix 4. The Local Board cannot conduct its business without a Chair.
- 1.2 If the Chair is to be locally elected (see Appendix 4) the members of each Local Board shall each academic year, at their first meeting in that year, elect a Chair from among their number to serve until a successor is appointed or a vacancy occurs as envisaged in paragraph 1.5.
- 1.3 The members of each Local Board shall each academic year, at their first meeting in that year, elect a Vice-Chair from among their number to serve until a successor is appointed or a vacancy occurs as envisaged in paragraph 1.5. Neither a person who is employed by DBAT (whether or not at the Academy) nor a person who is at the time of election already a Director (except where such person is a Director by virtue of being the incumbent chair) shall be eligible for election as Vice-Chair, noting for the avoidance of doubt that the Chair will be eligible to serve as a Director.
- 1.4 Subject to paragraph 1.5, the Vice-Chair shall hold office as such until the successor has been elected in accordance with this clause 1.
- 1.5 The Chair or Vice-Chair may at any time resign his/her office by giving notice in writing to the Local Board. The Chair or Vice-Chair shall cease to hold office if:
  - 1.5.1 The person ceases to serve on the Local Board;
  - 1.5.2 The person is employed by DBAT whether or not at the Academy;
  - 1.5.3 The person is removed from office in accordance with this Scheme; or
  - 1.5.4 In the case of the Vice-Chair, they are elected in accordance with this Scheme to fill a vacancy in the office of Chair.

- 1.6 Where by reason of any of the matters referred to in paragraph 1.5, a vacancy arises in the office of Chair or Vice-Chair the members of the Local Board shall at its next meeting elect one of their numbers to fill that vacancy (if applicable, see Appendix 4). The election of Chair/Vice-Chair will be a specific item of business on the agenda for that meeting.
- 1.7 Where the Chair is absent from any meeting or there is at the time a vacancy in the office of the Chair, the Vice-Chair shall act as the Chair for the purposes of the meeting.
- 1.8 Where in the circumstances referred to in paragraph 1.6 the Vice-Chair is also absent from the meeting or there is at the time a vacancy in the office of Vice-Chair, the members of the Local Board shall elect one of their number to act as a Chair for the purposes of that meeting, provided that the person elected shall neither be a person who is employed by DBAT whether or not at the Academy nor a Director.
- 1.9 If the Clerk does not attend a meeting the Local Board members present at the meeting can appoint a member of the Local Board or sub-committee (but not the headteacher) to act as Clerk for that meeting.
- 1.10 A Director or the Clerk shall act as Chair during that part of any meeting at which the Chair is elected.
- 1.11 Any election of the Chair or Vice-Chair which is contested shall be held by secret ballot.
- 1.12 The Chair may only be removed from office by the Directors at any time or by the Local Board in accordance with this Scheme.
- 1.13 A resolution to remove the Vice-Chair from office which is passed at a meeting of the Local Board shall not have effect unless:
- 1.13.1 it is confirmed by a resolution passed at a second meeting of the Local Board held not less than fourteen days after the first meeting; and
- 1.13.2 The matter of the Vice-Chair's removal from office is specified as an item of business on the agenda for each of those meetings.

- 1.14 Before a resolution is passed by the Local Board at the relevant meeting as to whether to confirm the previous resolution to remove the Vice-Chair from office, the person or persons proposing his/her removal shall at that meeting state their reasons for doing so and the Vice-Chair shall be given an opportunity to make a statement in response.
- 1.15 It is the responsibility of the Vice-Chair to make DBAT aware of any concerns relating to the Chair and how the Chair is overseeing the day to day management of the Academy.
- 1.16 The Clerk to each Local Board shall be appointed by the Local Board or Main Board in accordance with the Decision Tables in Appendix 5. The Principal or Local Board members cannot be Clerk to the Local Board. The Clerk shall be employed by the academy and the employment costs shall be met by the academy school which the Clerk serves.
- 1.17 It is expected that the Chair and Vice-Chair and other Local Board Members will attend appropriate training courses to maintain their expertise.

## **2. CONFLICTS OF INTEREST**

- 2.1 Any Local Board Member who has or can have any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts or may conflict with his/her duties as a member of the Local Board shall disclose that fact to the Local Board as soon as s/he becomes aware of it. A person must absent him/herself from any discussions of the Local Board in which it is possible that a conflict will arise between his/her duty to act solely in the interests of the Academy and any duty or personal interest (including but not limited to any Personal Financial Interest).
- 2.2 For the purpose of paragraph 2.1, a person has a Personal Financial Interest if s/he, or any child, stepchild, parent, grandchild, grandparent, brother, sister or spouse of the member or any person living with the member as his or her partner, is in the employment of DBAT or is in receipt of remuneration or the provision of any other benefit directly from DBAT or in some other way is linked to DBAT or the Academy.

- 2.3 This clause 2 shall also apply to any member of any sub-committee of the Local Board who is not a Local Board Member.
- 2.4 Any disagreement between the members of the Local Board and the Principal or any sub-committee of the Local Board shall be referred to the Directors for their determination.
- 2.5 The Clerk will maintain a register of the personal interests of its members, including a signed declaration from each member.

### **3. THE MINUTES**

- 3.1 The minutes of the proceedings of a meeting of each Local Board shall be drawn up by the Clerk; and shall be signed (subject to the approval of the members of the Local Board) at next subsequent meeting by the person acting as Chair thereof. The minutes shall include a record of:
  - 3.1.1 All appointments of officers made by the Local Board; and
  - 3.1.2 All proceedings at meetings of the Local Board and of sub-committees of the Local Board including the names of all persons present at each such meeting.
  - 3.1.3 The time of arrival and/or departure of any Local Board member not in attendance throughout any meeting.
  - 3.1.4 Where a Local Board member sends an apology for absence with reason, the Local Board will decide whether to 'accept' the apology and the Clerk will record the decision in the minutes.
  - 3.1.5 Where important information required by the Local Board is given orally, it will be recorded in the minutes in appropriate detail.
  - 3.1.6 Recommendations received from working groups will be recorded in the minutes, together with any related Local Board resolution

- 3.2 Within 5 school days of a meeting, the draft minutes will be sent by the Clerk to the Chair for checking and to the Principal.
- 3.3 Copies of the draft minutes, once 'approved' by the Chair, will be sent to all members of the Local Board by the Clerk within 10 school days of the meeting.
- 3.4 The approval of the minutes of the previous meeting will be on the agenda of every meeting of the Local Board and once approved as a true record (subject to any agreed amendments) the minutes will be signed and dated by the Chair.
- 3.5 The minutes of meetings will be filed at the Academy with consecutively numbered loose-leaf pages. Minutes will be made available at the Academy for anyone wishing to see them. Minutes will include papers forming part of the meeting.
- 3.6 The Chair shall ensure that copies of minutes of all meetings of the Local Board (and such of the sub-committees as the Main Board shall from time to time notify) shall be provided to the Clerk to the Main Board as soon as reasonably practicable after those minutes are drafted, and again once they have been approved.
- 3.7 Action will be taken on the basis of decisions and need not await the approval of the minutes at the next meeting.

#### **4. SUB-COMMITTEES**

- 4.1 A Local Board may establish any sub-committee in accordance with the provisions of this Scheme. The constitution, membership, proceedings and reporting arrangements of any sub-committee shall be determined by the Local Board but having regard to any views of the Main Board. The establishment, terms of reference, constitution and membership of any sub-committee shall be reviewed at least once in every twelve months. The membership of any sub-committee may include any expert person who is not a member of the Local Board or a Director, provided that a majority of the members of any such sub-committee shall be members of the Local Board or Directors. Any member of a sub-committee who is not

a member of the Local Board or a Director shall not be entitled to vote in any proceedings of the sub-committee.

4.2 All sub-committees will keep formal minutes, and copies will be presented to the next meeting of the Local Board for information. The Local Board will receive and note, without debate, any decisions on matters which it has delegated to a sub-committee or to an individual. Decisions will be recorded in the minutes.

4.3 The Local Board will appoint the Chair of each sub-committee.

4.4 Sub-committees will meet at a frequency determined by the Local Board.

## **5. DELEGATION**

5.1 Members of the Local Board should recognise that all decisions must be made by the Local Board provided such power or function has been delegated to a Local Board. The Local Board may further delegate to any person serving on the Local Board, a sub-committee of the Local Board, the Principal or any other holder of an executive office, such of their powers or functions as they consider desirable to be exercised by them. Any such delegation may be made subject to any conditions imposed either by the Main Board or the Local Board and may be revoked or altered.

5.2 Where any power or function of the Main Board or the Local Board is exercised by any sub-committee, any Director or Local Board Member, the Principal or any other holder of an executive office, that person or sub-committee shall report to the Local Board in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the Local Board immediately following the taking of the action or the making of the decision.

5.3 The Chair, or in his or her absence the Vice-Chair, has authority to take urgent action between meetings only where:

- a delay in dealing with the matter would be seriously detrimental to the interests of the school, a pupil, his/her parents, or a member of staff;

- a meeting could not be called in sufficient time to deal with the matter;
- s/he has first consulted with a member of the DBAT Central Senior Leadership Team.

If the Chair (or Vice-Chair) takes any urgent action between meetings, the facts will be reported to the next meeting of the Local Board.

## **6. MEETINGS OF THE LOCAL BOARD**

- 6.1 Subject to this Scheme, each Local Board may regulate its proceedings as the Local Board Members think fit.
- 6.2 The Local Board will set the dates for its meetings, including those of any sub-committee and/or working group for the next school year by the final meeting of the previous school year.
- 6.3 Meetings will start at times which are acceptable to the Local Board and will be limited to 2 hours duration.
- 6.4 The Local Board shall meet at least once per term (based on a three term year) in every school year. Meetings of the Local Board shall be convened by the Clerk to the Local Board. In exercising his/her functions under this Scheme the Clerk shall comply with any direction:
- 6.4.1 given by the Main Board or the Local Board; or
- 6.4.2 given by the Chair of the Local Board or, in his/her absence or where there is a vacancy in the office of Chair, the Vice-Chair of the Local Board, so far as such direction is not inconsistent with any direction given as mentioned in 6.4.1 above.
- 6.5 Any three Local Board Members may, by notice in writing given to the Clerk (copying the Chair), request a meeting of the Local Board; and it shall be the duty of the Clerk to convene such a meeting as soon as is reasonably practicable.
- 6.6 The agenda will be prepared by the Clerk in accordance with any determination of the Local Board and in consultation with the Chair and the Principal and where the Clerk is also the Clerk to any sub-committees the



Chair of the sub-committee and the Principal.

- 6.7 Any Local Board member may place an item on the agenda by writing to the Clerk.
- 6.8 The agenda will include 'Any Other Business'. Any Local Board member wishing to raise an urgent meeting item must give notice to the Chair at least 24 hours before the meeting. The Chair will decide if the item is to be discussed or, if appropriate, deferred to a subsequent meeting.
- 6.9 The Principal is expected to keep the Local Board fully informed, and will present a written report to the Local Board at least three times per year.
- 6.10 At least 7 clear days before the date of a meeting, every Local Board Member shall be given by the Clerk:
- 6.10.1 notice in writing thereof, sent to each Local Board Member at the email address provided by each member; and
  - 6.10.2 a copy of the agenda and associated paperwork to be discussed at the meeting;
- provided that where the Chair or, in his/her absence or where there is a vacancy in the office of Chair, the Vice-Chair, so determines on the ground that there are matters demanding urgent consideration, it shall be sufficient if the written notice of a meeting, and the copy of the agenda thereof are given within such shorter period as s/he directs.
- 6.11 The convening of a meeting and the proceedings conducted thereat shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda thereof.
- 6.12 Apart from members, the only people entitled to attend a meeting of the Local Board are the Clerk, co-opted members, staff from the DBAT Central Team and any such other persons as the Local Board or Main Board may determine. No substitute members are permitted, except in the case of 6.14. Any person attending in an advisory role will have no voting rights.
- 6.13 Co-opted members may be required to leave a meeting where matters of a confidential nature are discussed. The Local Board can require any non-

member present at a meeting to leave at any time.

- 6.14 When the Principal is absent, their deputy will attend in his/her place but will have no vote (unless in the long-term absence of the Principal, the deputy has been appointed acting Principal). The deputy may also be invited to attend meetings of the Local Board as an observer, as part of their professional development, or to contribute to agenda items, eg performance data.
- 6.15 A resolution to rescind or vary a resolution carried at a previous meeting of a Local Board shall not be proposed at a meeting of the Local Board unless the consideration of the rescission or variation of the previous resolution is a specific item of business on the agenda for that meeting.
- 6.16 A meeting of a Local Board shall be terminated forthwith if:
- 6.16.1 the Local Board Members so resolve; or
  - 6.16.2 the number of members present ceases to constitute a quorum for a meeting of the Local Board in accordance with paragraph 6.19, subject to paragraph 6.21.
- 6.17 Where in accordance with paragraph 6.16 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 fourteen days of the date on which the meeting was originally to be held or was so terminated.
- 6.18 Where a Local Board resolves in accordance with paragraph 6.16 to adjourn a meeting before all the items of business on the agenda have been disposed of, the Local Board shall before doing so determine the time and date at which a further meeting is to be held for the purposes of completing the consideration of those items, and they shall direct the Clerk to convene a meeting accordingly.
- 6.19 Subject to paragraph 6.21, the quorum for a meeting of a Local Board and any vote on any matter thereat, shall be at least three Local Board Members, or, where greater, one third (rounded up to a whole number) of the total number of Local Board Members in office at the date of the

meeting.

- 6.20 A Local Board may act notwithstanding any vacancies on the Local Board, but, if the numbers of persons serving is less than the number fixed as the quorum, the continuing persons may act only for the purpose of filling vacancies.
- 6.21 The quorum for the purposes of any vote on the removal of a person from the Local Board in accordance with this Scheme or the appointment of a co-opted Local Board Member shall be any two-thirds (rounded up to a whole number) of the persons who are at the time persons entitled to vote on those respective matters.
- 6.22 Subject to this Scheme, every question to be decided at a meeting of the Local Board shall be determined by a majority of the votes of the persons present and entitled to vote on the question. Every Local Board Member shall have one vote.
- 6.23 Subject to paragraphs 6.19 – 6.21, where there is an equal division of votes, the Chair of the meeting shall have a casting vote in addition to any other vote s/he may have.
- 6.24 The Chair will ensure that meetings are run effectively, focussing on priorities and making best use of time available and ensuring that all members enjoy equality of opportunity to express their views and participate in decision making.
- 6.25 The proceedings of a Local Board shall not be invalidated by:
- 6.25.1 any vacancy on the board; or
  - 6.25.2 any defect in the election, appointment or nomination of any person serving on the Local Board.
- 6.26 A resolution in writing, signed by all the persons entitled to receive notice of a meeting of a Local Board or of a sub-committee of a Local Board, shall be valid and effective as if it had been passed at a meeting of the Local Board or (as the case may be) a sub-committee of the Local Board duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the members of the Local

Board and may include an electronic communication by or on behalf of the Local Board indicating her agreement to the form of resolution providing that the member has previously notified the Local Board in writing of the email address or addresses that the member will use.

- 6.27 Subject to paragraph 6.28, a Local Board shall ensure that copies of:
- 6.27.1 the agenda for every meeting of the Local Board;
  - 6.27.2 the draft minutes of every such meeting, if they have been approved by the person acting as Chair of that meeting;
  - 6.27.3 the signed minutes of every such meeting; and
  - 6.27.4 any report, document or other paper considered at any such meeting,
- are to be made available, as soon as is reasonably practicable, to persons wishing to inspect them.
- 6.28 There may be excluded from any item required to be made available in pursuance of paragraph 6.27, any material relating to:
- 6.28.1 a named person employed, or proposed to be employed, at the Academy;
  - 6.28.2 a named pupil at, or candidate for admission to, the Academy; and
  - 6.28.3 any matter which, by reason of its nature, the Local Board is satisfied should remain confidential. Such matters shall remain confidential, will be minuted separately and such minutes will not be made publicly available.
- 6.29 Any Local Board Member shall be able to participate in meetings of the Local Board by telephone conference or video conference provided that:
- 6.29.1 s/he has given notice of his/her intention to do so detailing the telephone number on which s/he can be reached and/or appropriate details of the video conference suite from which s/he shall be taking part at the time of the meeting at least 48 hours before the meeting; and

- 6.29.2 the Local Board has access to the appropriate equipment. If after reasonable efforts it does not prove possible for the person to participate by telephone or video conference the meeting may still proceed with its business provided it is otherwise quorate.
- 6.29.3 The Clerk will physically attend the meeting in order to record the minutes.

## **7. CORRESPONDENCE**

- 7.1 All incoming correspondence to the Local Board (other than any concerning a complaint) is for the attention of the whole board, even if addressed to the Chair and/or the Clerk. Significant items will be presented to each meeting of the Local Board for action or information as appropriate. The Chair will report upon any correspondence on which s/he has already taken urgent action.
- 7.2 The Local Board will determine by resolution who may write letters on behalf of the Local Board, either generally or on specific issues.

## **8. NOTICES**

- 8.1 Any notice to be given to or by any person pursuant to this Scheme (other than a notice calling a meeting of a Local Board) shall be in writing or shall be given using electronic communications to an address for the time being notified for that purpose to the person giving the notice. In this Scheme, 'address' in relation to electronic communications, includes a telephone number or email address used for the purposes of such communications.
- 8.2 A notice may be given by a Local Board to its members either personally or by sending it by post in a prepaid envelope addressed to the member at his/her registered address or by leaving it at that address or by giving notice using electronic communications to an email address for the time being notified to the Local Board by the member. A Local Board Member whose registered address is not within the United Kingdom and who gives to the Local Board an address within the United Kingdom at which notices may be given to him/her, or an address to which notices may be sent using electronic communications, shall be entitled to have notices given to

him/her at that address, but otherwise no such member shall be entitled to receive any notice from the Local Board.

- 8.3 A Local Board Member present at any meeting of the Local Board shall be deemed to have received notice of the meeting and, where necessary, of the purposes for which it was called.
- 8.4 Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. Proof that a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators shall be conclusive evidence that the notice was given. A notice shall be deemed to be given at the expiration of 48 hours after the envelope containing it was posted by first class post or, in the case of a notice contained in an electronic communication, at the expiration of 48 hours after the time it was sent.

## **9. INDEMNITY**

- 9.1 Subject to the provisions of the Companies Act 2006 every member of a Local Board or other officer or auditor of DBAT acting in relation to an Academy shall be indemnified out of the assets of DBAT against any liability incurred by him/her in that capacity in defending any proceedings, whether civil or criminal, in which judgment is given in favour or in which s/he is acquitted or in connection with any application in which relief is granted to him/her by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of DBAT.

## APPENDIX 2

# FINANCIAL PROCEDURES

### Contents

1. Introduction
2. Organisation
3. Accounting System
4. Financial Planning
5. Payroll
6. Purchasing
7. Income
8. Cash Management
9. Fixed Assets
10. VAT

## **1 Introduction**

The purpose of these procedures is to provide a basis for ensuring that the Diocese of Bristol Academies Trust (DBAT) maintains and develops systems of financial control which conform to the requirements both of propriety and of good financial management. It is essential that these systems operate properly to meet the requirements of the DfE funding agreement and the latest version of the Academies Financial Handbook.

DBAT and its academies must comply with the principles of financial control outlined here and with guidance published from time to time by the funding and regulatory Agency. These regulations provide detailed information on DBAT's accounting procedures and systems. They are agreed with DBAT's External Auditors and should be read by all staff involved with financial matters.

These regulations and procedures should be read in conjunction with the Academies Financial Handbook issued by the regulatory Agency.

## **2 Organisation**

DBAT has defined the responsibilities of each person involved in the administration of its finances to avoid the duplication or omission of functions and to provide a framework of accountability for the Board and staff. The financial reporting structure is illustrated below:

### **2.1 The Board of Directors**

The Board has overall responsibility for the administration of the DBAT's finances. The main responsibilities of the Board are set out in the Master Funding Agreement between DBAT and the DfE and additional items from the Academies Financial Handbook. The main responsibilities include:

- Ensuring that grant from the funding and regulatory Agency is only used for the purposes intended;
- Approval of DBAT's annual budget;
- Approval of individual expenditure transactions or contracts greater than £20,000. Ensuring that the decision is included in the minutes of the meeting;
- Appointment of the CEO;
- Monitoring of the financial affairs of DBAT.



## **2.2 Finance and Audit Committee**

The Finance and Audit Committee is a committee of the Board. It meets at least twice a year.

The main responsibilities of the Finance and Audit Committee are set out in the Academies Financial Handbook (AFH) and in its detailed Terms of Reference. The responsibilities include:

- Ensuring the annual accounts are produced in accordance with the requirements of the Companies Act, the Charities SORP, and the Funding and regulatory Agency guidance issued to academies;
- Consideration of auditors' reports and review of the reports of the internal auditor;
- Reviewing the risks to internal financial control;
- Agreeing a programme of work to address, and provide assurance on those risks;
- Scrutinising financial arrangements including systems of financial control, transactions and contracts;
- Report to the Board on issues or exceptions raised to the Committee.

## **2.3 The Chief Executive Officer (CEO)**

As DBAT's Accounting Officer, the Chief Executive Officer (CEO) is responsible to Parliament for DBAT's systems of internal financial control and its financial resources.

The CEO is responsible for:

- Authorising senior Academy appointments;
- Authorising bonuses or ex-gratia payments made to non-senior staff;
- Authorising permanent changes to DBATs establishment with the approval of the Board.
- Monitoring of the Health & Safety policy on behalf of the board.
- Signing cheques and authorising electronic payments in conjunction with any other authorised signatory;

## **2.4 The Chief Financial Officer (CFO)**

The CFO is DBAT's Principal Finance Officer, and is appointed by and is accountable to the CEO and the Board. The main financial responsibilities of the CFO include but are not limited to:

- The day to day management of financial issues including the establishment and operation of a suitable accounting system;

- The management of DBAT's financial position at a strategic level within the framework for financial control determined by the governing body;
- The oversight of the financial positions of the individual Academies;
- The maintenance of effective systems of internal control;
- Ensuring that the annual accounts are properly presented and adequately supported by the underlying books and records of the Trust;
- The preparation of monthly management information;
- Signing cheques and authorising electronic payments in conjunction with any other authorised signatory;
- Ensuring forms and returns are sent to the EFA in line with the timetable in the EFA guidance;
- Provision of guidance to the Board on financial matters;

## **2.5 The Company Secretary (CS)**

The role of CS may be 'included' in the day to day responsibilities of the TFO.

The responsibilities of the CS are to:

- Maintain the records of the Trustees of DBAT at Company's House
- Complete appropriate annual returns

## **2.6 Academy Principal**

The Academy Principal (Principal) is responsible for preparing budget proposals for their Academy, in conjunction with their Academy Business Manager (ABM) / Bursar (BU), and for operating within the agreed academy budget.

Subject to the delegated authority given by the Board, the Principal has the authority to:

- Make appointments within the approved establishment in conjunction with the Local Board's Staffing Committee;
- Authorise orders up to £5,000;
- Authorise orders over £5,000 and up to £20,000 in conjunction with the chair of the Local Board;
- Authorise incremental pay increases in line with the Trust's pay policy and in agreement with the Local Board's Staffing Committee.

## **2.7 Academy Business Manager (ABM) / Bursar**

Academy business Managers (ABMs) and Bursars are responsible for providing the professional expertise to manage the day to day finances of the Academy and supporting the Principal and Local Board with financial planning and budget setting. Details of these responsibilities can be found in the sections below.

Subject to the delegated authority given by the Board, the ABM has the authority to:

- Authorise orders up to £1,000

## **2.8 Local Board**

Each Local Board shall ensure that proper procedures are put in place for the safeguarding of funds and other assets and that the requirements of the Academies Financial Handbook are observed at all times as well as any requirements and recommendations of the Main Board and the Secretary of State. Each Local Board shall also develop appropriate risk management strategies (or adopt strategies promulgated by the Main Board) and shall at all times adopt financial prudence in managing the financial affairs of DBAT in so far as these relate to the relevant Academy.

The Local Board is responsible for:

- Detailed review of proposed annual budget with recommendations for adoption to the Board;
- Review current year financial performance compared to budget;
- Review proposals for capital expenditure with recommendations for adoption to the Board above delegated authority.

When a Local Board has the power to enter into contracts on behalf of DBAT, such Local Board shall at all times operate in accordance with the Standing Financial Instructions and Financial Procedures and the Decision Tables in the Scheme of Delegation.

Each Local Board shall provide such information about the finances of the Academy as often and in such format as the Main Board shall reasonably require. Without prejudice to the above, the Local Board shall provide management accounts in an approved format to the Main Board at least once per term (based on a three term year) or as requested by DBAT. In addition, the Local Board shall inform the Main Board forthwith of any need for significant unplanned expenditure and will discuss with the Main Board options for identifying available funding.

## **2.9 Internal Audit Team**

An Internal Audit service is supplied by RSM Risk Assurance Services LLP and provides the Board with an independent oversight of DBAT's financial affairs. The main duties of the Internal Audit Team are to provide the Board with independent assurance that:

- The financial responsibilities of the Board are being properly discharged;
- Resources are being managed in an efficient, economical and effective manner;
- Sound systems of internal financial control are being maintained;
- Financial considerations are fully taken into account in reaching decisions.

The Internal Audit Team will undertake a regular programme of reviews to ensure that financial transactions have been properly processed and that controls are operating as agreed by the Board. A report of the findings from each visit will be presented to the Finance and Audit Committee for recommendation.

## **2.10 Other Staff**

Other members of staff, primarily the ABMs, Bursars, DBAT's Administration Team, and the budget holders, will have some financial responsibilities and these are detailed in the following sections of this manual. All staff are responsible for the security of DBAT property, for avoiding loss or damage, for ensuring economy and efficiency in the use of resources and for conformity with the requirements of DBAT's financial procedures.

## **2.11 Register of Interests**

It is important for anyone involved in spending public money to demonstrate that they do not benefit personally from the decisions they make or influence. To avoid any misunderstanding that might arise all DBAT Board Members, Academy Board Members, and staff with significant financial or spending powers are required to declare any financial interests they have in companies or individuals from whom DBAT may purchase goods or services. The register is open to public inspection.

The register should include all business interests such as directorships, share holdings or other appointments of influence within a business or organisation which may have dealings with DBAT. The disclosures should also include business interests of relatives such as a parent or spouse or business partner where influence could be exerted over a local board member or a member of staff by that person.

The existence of a register of business interests does not, of course, detract from the duties of Board members and staff to declare interests whenever they are relevant to matters being discussed by the Board or a committee. Where an interest has been declared, Board members and staff should not attend that part of any committee or other meeting.

### **3 Accounting system**

All the financial transactions of DBAT and its academies must be recorded on the Trust's accounting system.

#### **3.1 System Access**

Access to the system is password restricted and the CFO/ ABM/ Bursar is responsible for implementing a system which ensures that passwords are changed as appropriate.

Access to the component parts of the system can also be restricted and the CFO/ ABM/ Bursar is responsible for setting access levels for all members of staff using the system.

#### **3.2 Back-up Procedures**

The CFO/ ABM/ Bursar is responsible for ensuring that there are effective back up procedures for the system.

The CFO/ ABM/ Bursar should also prepare a disaster recovery plan in the event of loss of accounting facilities or financial data. This should link in with the annual assessment made by the Board of the major risks to which the Trust is exposed and the systems that have been put in place to mitigate those risks.

#### **3.3 Transaction Processing**

All transactions input to the accounting system must be authorised in accordance with the procedures specified in these regulations. All journal entries must be documented on the appropriate journal form and authorised by an appropriate individual.

Bank transactions should be input by the Finance Assistants and the input should be checked, and signed to evidence this check, by the ABM / Bursar.

#### **3.4 Transaction Reports**

The ABM / Bursar will obtain and review system reports to ensure that only regular transactions are posted to the accounting system. The report obtained and reviewed will include:

- The weekly or monthly audit trail reports;
- Amendment reports for the payroll, purchase ledger and sales ledger;
- Management accounts summarising expenditure and income against budget at budget holder level.

### **3.5 Reconciliations**

The ABM / Bursar is responsible for ensuring the following reconciliations are performed each month, and that any reconciling or balancing amounts are cleared:

- Sales ledger control account;
- Purchase ledger control account;
- Payroll control account;
- All suspense accounts;
- Bank accounts;
- Petty cash

The ABM / Bursar will review and sign all reconciliations as evidence of review. Any unusual or long outstanding reconciling items must be brought to the attention of the DBAT Finance team.

## **4 Financial planning**

DBAT prepares both annual budgets and three year financial forecasts.

The three year financial forecast is prepared as part of the development planning process and provides the framework for the annual budget.

The budget is a detailed statement of the expected resources available to the Academy and the planned use of those resources for the following year.

### **4.1 Annual Budget Preparation**

The ABMs / Bursars are responsible for preparing the draft Academy annual budget in conjunction with their Principal. The annual budget will reflect the best estimate of the resources available to each Academy for the forthcoming year and will detail how those resources are to be utilised.

The budgetary planning process will incorporate the following elements:

- Forecasts of the likely number of students to estimate the amount of grant receivable;

- Review of other income sources available to the Academy to assess likely level of receipts;
- Staffing structure;
- Review of past performance against budgets to promote an understanding of the Academy cost base;
- Identification of potential efficiency savings;
- Review of the main expenditure headings in light of the development plan objectives and the expected variations in cost e.g. pay increases, inflation and other anticipated changes;
- Identification of capital expenditure projects;
- Availability of reserves or other funding sources

#### **4.2 Surplus targets**

The Board will agree a reserves policy, which will determine the level of surplus that each Academy is required to generate. If shortfalls are identified, opportunities to increase income should be explored and expenditure headings will need to be reviewed for areas where cuts can be made. This may entail prioritising tasks and deferring projects until more funding is available. Plans and budgets will need to be revised until they generate the surplus required to meet the Board's reserves policy.

#### **4.3 Budget approval**

The revenue budget and capital plans must be reviewed by the Academy's Local Board and then presented to the Board for approval. The Board must approve the final Academy budget.

The approved budget must be submitted to the EFA in accordance with any guidance issued by the Agency.

#### **4.4 Finalising the Budget**

Each Academy's budget should be communicated by the ABM / Bursar to all staff with responsibility for budget headings so that everyone is aware of the overall budgetary constraints.

The budget should be accompanied by a statement of assumptions and hierarchy of priorities so that if circumstances change, it is easier for all concerned to take remedial

action. The budget should be seen as a working document which may need revising throughout the year as circumstances change.

#### **4.5 Monitoring and Review**

Monthly income and expenditure reports will be prepared by the ABMs / Bursars. The reports will detail actual income and expenditure against budget with explanations in relation to any significant variances. The reports will be reviewed by the Local Board and will be reported (at a summary level where appropriate) to the Board of Directors.

Any potential overspend against the budget must in the first instance be discussed with the ABM / Bursar. The accounting system will not allow payments to be made against an overspent budget without the approval of the ABM / Bursar.

The monitoring process should be effective and timely in highlighting variances in the budget so that differences can be investigated and action taken where appropriate to vire money, up to a limit of £5k, from another budget head or from the contingency. Requests for virements must be approved by the Local Board and via the management accounts.

### **5 Payroll**

- The main elements of the payroll system are:
- Staff appointments;
- Payroll administration and
- Payments

#### **5.1 Staff Appointments**

The agreed budget will identify a personnel establishment for the Academy. Changes to the establishment which are within the overall approved budget, or which are of a temporary nature, can be made with the approval of the Principal. Permanent changes, which are outside the agreed budgets, can only be made with the approval of the DBAT Board.

The Principal in consultation with the Local board's Staffing committee has authority to appoint staff within the authorised establishment except for SLT members whose appointments must follow consultation with the CEO. The pay rate for new appointments must be in line with DBAT pay policy.



Personnel files are held at the Academy, for all members of staff which include contracts of employment. All personnel changes must be notified, in writing and recorded in the personnel file.

Any bonuses or ex-gratia payments must be approved by the CEO (or Board for senior staff).

## **5.2 Payroll Administration**

The Trust currently has an external payroll provider – Bishop Fleming Payroll Services Ltd.

All staff receive payment every month from the payroll provider on the basis of a third party payment made on behalf of the Trust. The payroll provider creates a master file for each employee which records required details which include:

- Salary;
- Bank account details;
- Taxation status;
- Personal details, and;
- Any deductions or allowances payable.

New staff can only be added to the payroll on the basis of the completion of the relevant 'New Starter' form, which is authorised by the Principal and DBAT. Any other changes must also be authorised by the Principal / ABM / Bursar. All payroll changes must be reviewed by the ABM / Bursar prior to the payroll being signed off for payment.

Each Academy is responsible for recording and monitoring sickness and attendance.

Before the payroll is processed a print of all data input should be obtained and this should be checked against source documentation by the ABM / Bursar.

## **5.3 Payments**

After the payroll has been processed but before payments are dispatched a print of salary payments by Academy and showing the amount payable in total should be obtained from the system. The CFO/ ABM/ Bursar will ensure that a reconciliation between the current month's and the previous month's gross salary payments is prepared, showing all adjustments made. This will be reviewed and signed prior to payments being authorised.

Instruction to release payment will be sent by ABM / Bursar to the payroll provider. All salary payments will be made by BACS.

The payroll provider calculates the deductions due from payroll to comply with current legislation. The major deductions are for tax, National Insurance contributions and pensions. The amounts payable are summarised on the gross to net pay print and are paid over by the payroll provider on the basis of a third party payment.

After the payroll has been processed the nominal ledger will be updated. Postings will be made both to the payroll control account and to individual cost centres. The payroll control account should be reviewed each month to ensure the correct amount has been posted from the payroll system, individual cost centres have been correctly updated and to identify any amounts posted to the suspense account.

The ABM / Bursar will periodically check that the gross pay per the payroll system agrees to the individual contracts of employment held on personnel files.

## **6 Purchasing**

DBAT strives to achieve the best value for money from all purchases. This means we aim to obtain what is needed in the correct quality, quantity and time at the best price possible. As a large proportion of our purchases will be paid for with public funds, we will follow the general principles of:

- Probity, it must be demonstrable that there is no corruption or private gain involved in the contractual relationships of DBAT;
- Accountability, DBAT is publicly accountable for its expenditure and the conduct of its affairs;
- Fairness, that all those dealt with by DBAT are dealt with on a fair and equitable basis.

### **6.1 Budget Holders**

Budget holders will be informed of the budget available to them before the start of the academic year. It is the responsibility of the budget holder to ensure:

- That there are sufficient uncommitted funds to pay for any goods/services ordered.
- That the goods ordered are part of planned expenditure in line with the School Development Plan and the school maintenance plan.

- That the prices quoted are correct, that postage and packaging are included where necessary, and that the goods/services are ordered from an approved supplier.
- The budget holder must sign the internal requisition.

## **6.2 Orders for Goods and Services**

### **To be read in conjunction with DBAT Procurement Policy for Academies.**

Official orders will be raised using the Academy financial accounting system on receipt of a completed requisition form signed by the appropriate budget holder. The requisition must show:

- The supplier and goods / services required
- The person ordering the goods
- The total value of the order or best estimate
- The budget and the signature of the budget holder
- The authorisation of the ABM / Bursar

The completed order will be e-mailed to the supplier.

A member of office staff must make appropriate arrangements for the delivery of goods to the Academy. On receipt the budget holder must undertake a detailed check of the goods received against the goods received note (GRN) and make a record of any discrepancies between the goods delivered and the GRN. Delivery notes should be signed, dated and returned to the office within two working days and will be filed. Discrepancies should be discussed with the supplier of the goods without delay. GRNs should be processed on the finance system.

If any goods are rejected or returned to the supplier because they are not as ordered or are of sub-standard quality, the ABM / Bursar should be notified and a record maintained.

All invoices should be checked by the Academy team prior to payment. Where there is a variance between the final invoice and the approved order, further authorisation will be sought.

The only exception to the above procedures is when one order is raised for an annual commitment, for example, telephone charges, cleaning contract, photocopier lease, etc. These orders are issued at the beginning of the financial year and remain 'open' for the whole year with all appropriate invoices being allocated to the one order.

Cash payments are dealt with in section 8.2 below.

### **6.3 Orders up to £1,000**

Purchase orders are approved by the budget holder and the ABM / Bursar.

### **6.4 Orders over £1,000 but less than £5,000**

Purchase orders in this category are authorised by the ABM and the Principal. Verbal prices/quotations should be obtained.

### **6.5 Orders over £5,000 but less than £20,000**

Purchase orders in this category are further authorised by the Principal and the Chair of the Local Board. Written quotes should be obtained where possible, if not, verbal quotes should be obtained.

### **6.6 Orders over £20,000 but less than £60,000**

Approval must first be obtained from the main DBAT Board for any expenditure in excess of £20,000. The Board approval must be noted in the minutes of the meeting.

Before any order is placed at least three quotations should be obtained to identify the best source of the goods/services. Written details of quotations obtained should be prepared and retained by the ABM / Bursar for audit purposes.

### **6.7 Orders over £60,000 but less than EU procurement limit**

A competitive tendering exercise should be carried-out if no suitable framework exists. Approval should be obtained from the Main Board.

### **6.7 Orders above EU procurement limit**

All proposed expenditure above the EU procurement limit must first be approved by the main DBAT Board and then advertised in the Official Journal of the European Union (OJEU) and carried-out in accordance with PCR. Guidance on the OJEU thresholds is available from the Cabinet Office. Useful information can be found at:

<https://www.gov.uk/tendering-for-public-sector-contracts>

Further guidance can be found in the DBAT Procurement Policy for Academies.

## **7 Income**

### **7.1 Grant income**

The main sources of income for DBAT are the grants to its Academies from the funding and regulatory Agency, the EFA. The receipt of these sums is monitored directly by the DBAT Finance Team who is responsible for ensuring that all grants due to DBAT are received.

Applications for other grants must be notified to the DBAT Finance Team. The award of new grants must be notified, with a copy of the grant letter, to the DBAT Finance Team to ensure that the collection of income is managed effectively and that any conditions of grant are met.

### **7.2 Invoiced income**

DBAT and academies also obtains income from other sources in accordance with its charitable objects and its charges and remissions policy. All invoices should be raised and posted on to the appropriate accounting system.

### **7.3 Trips**

A staff member must be appointed for each trip to take responsibility for the collection of sums due. The responsible staff member must prepare a record for each student intending to go on the trip showing the amount due.

Receipts must be issued for all monies collected and the value of the receipt and the number of the receipt recorded against the student making the payment.

The ABM / Bursar should maintain an up to date record for each student showing the amount paid and the amount outstanding. The responsible staff member is responsible for chasing the outstanding amounts.

### **7.4 Lettings**

Each Academy will have its own Charging and Lettings Policy within guidelines set by the Board. Records of bookings of Academy facilities must be kept, identifying the sums due. A deposit or full payment must be made in advance for the use of facilities. Monies due for lettings should be invoiced using the appropriate accounting system.

Details of organisations or individuals using the facilities should be sent to the ABM / Bursar who will ensure that a formal letting agreement is issued for all lettings. Details of payments

made and outstanding accounts will be maintained. Outstanding amounts will be chased by the responsible staff member.

## **7.5 Custody**

All cash and cheques must be kept in the ABM's / Bursar's safe prior to banking. Banking should take place every week or more frequently if the sums collected exceed the insurance limit on the safe.

Monies collected must be banked in their entirety in the appropriate bank account. The Finance Team will prepare reconciliations between the sums collected, the sums deposited at the bank and the sums posted to the accounting system. The reconciliations must be prepared promptly and must be reviewed by ABM/ Bursar/ Principal.

## **7.6 Credit Control**

ABMs should regularly review sales ledger balances to identify credit control needs.

The write off of debts up to £45,000 must be approved in line with the Decision Tables shown in Appendix 5. Write-offs over £45,000 or 1% of annual income, whichever is lower, must be approved by the EFA in line with the Academies Financial Handbook.

## **8 Cash Management**

### **8.1 Bank Accounts**

The opening of all accounts must be authorised by the Board who must set out the arrangements covering the operation of accounts, including any electronic payments, transfers between accounts and cheque signing arrangements.

### **Deposits**

Particulars of any deposit must be entered on a copy paying-in slip, counterfoil or listed in a supporting book. The details should include:

- the amount of the deposit and
- a reference, such as the number of the receipt or the name of the debtor.

### **Payments and withdrawals**

All cheques and other instruments (e.g. BACS) authorising withdrawals or payments from DBAT bank accounts must bear the signatures of two authorised signatories.

This provision applies to all accounts, public or private, operated by or on behalf of the Board.

### **Administration**

The ABM / Bursar must ensure bank statements are received regularly and that reconciliations are performed at least on a monthly basis. Reconciliation procedures must ensure that all bank accounts are reconciled to the cash book and that adjustments arising are dealt with promptly.

### **8.2 Petty Cash Accounts**

Each Academy maintains a maximum cash balance of £500. The cash is kept in the ABM's / Bursar's safe.

The only deposits to petty cash should be from cheques cashed specifically for the purpose. The receipt should be recorded in the petty cash system with the date, amount and a reference, normally the cheque number, relating to the payment. All other cash receipts for whatever reason should be paid directly into the bank.

Petty cash payments will be limited to £50. Higher value payments should be made by cheque directly from the main bank account as a cash book payment.

All transactions must be entered into the petty cash records on a regular basis, and regular, as well as unannounced cash counts should be undertaken by the ABM and Finance Department to ensure that the cash balance reconciles to supporting documentation.

### **8.3 Credit Cards**

Credit cards will be issued to ABMs / Bursars on the approval of the Board / CEO / TFO. The normal credit limit will be £2,000. Credit cards will be managed as payment cards for the Academy. Balances will be cleared in full on a monthly basis. Credit cards may not be used for personal purchases.

### **8.4 Cash Management**

DBAT in collaboration with its bankers, operates a cash management scheme whereby the credit balances held on all DBAT bank accounts is placed on deposit.

The ABM / Bursar is responsible for preparing cash flow forecasts to ensure that the Academy has sufficient funds available to pay for day to day operations.

## **8.5 Investments**

Investments must be made only in accordance with written procedures approved by the Board.

All investments must be recorded in sufficient detail to identify the investment and to enable the current market value to be calculated. The information required will normally be the date of purchase, the cost and a description of the investment. Additional procedures may be required to ensure any income receivable from the investment is received.

## **9 Fixed assets**

### **9.1 Asset register**

All items purchased with a value over DBAT's capitalisation limit must be entered in an asset register. The asset register should include the following information:

- asset description and serial number
- date of acquisition
- asset cost
- source of funding (% of original cost funded from Funding and regulatory Agency grant and % funded from other sources)
- expected useful economic life
- depreciation
- current book value
- location

The Asset Register will:

- Ensure that staff take responsibility for the safe custody of assets;
- Enable independent checks on the safe custody of assets, as a deterrent against theft or misuse;
- To manage the effective utilisation of assets and to plan for their replacement;
- Help the external auditors to draw conclusions on the annual accounts and DBAT's financial system;
- Support insurance claims in the event of fire, theft, vandalism or other disasters.



## **9.2 Security of assets**

Stores and equipment must be secured by means of physical and other security devices. Only authorised staff may access the stores.

All the items in the register should be permanently and visibly marked as DBAT's property and there should be a regular (at least annual) count by someone other than the person maintaining the register. Discrepancies between the physical count and the amount recorded in the register should be investigated promptly and, where significant, reported to the Audit Committee.

Inventories of Academy property should be kept up to date and reviewed regularly. Where items are used by the Academy but do not belong to it this should be noted.

## **9.3 Disposals**

Disposals should be made in line with the Academies' Financial Handbook. Items which are to be disposed of by sale or destruction must be authorised for disposal by the ABM / Bursar and, where significant, should be sold following competitive tender.

Disposal of equipment to staff is not encouraged, as it may be more difficult to evidence whether DBAT obtained value for money in any sale or scrapping of equipment. In addition, there are complications with the disposal of computer equipment, as DBAT would need to ensure licences for software programmes have been legally transferred to a new owner. DBAT is expected to reinvest the proceeds from all asset sales for which capital grant was paid in other assets. If the sale proceeds are not reinvested then DBAT must repay to the funding and regulatory Agency a proportion of the sale proceeds.

All disposals of land, buildings and heritage assets must be agreed in advance with the Secretary of State.

## **9.4 Loan of Assets**

Items of DBAT property must not be removed from DBAT premises without authority. A record of the loan must be recorded in a loan book and booked back in to DBAT when it is returned.

If assets are on loan for extended periods or to a single member of staff on a regular basis the situation may give rise to a 'benefit-in-kind' for taxation purposes. Loans should therefore be kept under review and any potential benefits discussed with DBAT's auditors.

## **10 VAT**

Under 'Notice 749 – Local authorities and similar bodies' DBAT is classed as an unregistered body and as such it can reclaim all the VAT it incurs.

This is the responsibility of the ABM / Bursar of the Academy paying the original invoice.

VAT is reclaimed using form VAT 126 and a copy of the completed form should be kept on record. A single form VAT 126 will be completed which covers all academies within DBAT. This will be the responsibility of the Trust's CFO.

## **11 Inter Academy Charging**

See Scheme of Delegation Appendix 3

## INTER-ACADEMY CHARGING

DBAT is a single entity whose purpose is to ensure that every DBAT pupil achieves the highest possible levels of attainment within an appropriate learning and built environment. DBAT will comprise of a number of such establishments - the component Academies - and it makes sense for us to manage each of these and measure their pupil outcomes independently of each other. This does not mean that they are in competition with one another. DBAT was born from an educational model that enables pupils and staff to flourish and grow because each of the component parts works together, with the strong supporting the weak and the weak challenging the strong.

This means that the normal mode of operation within DBAT must be that, if one Academy supports another, the supporting Academy may only charge for that support if there is a tangible cost to it. DBAT is not an organisation where attainment is measured in financial terms and no Academy within DBAT can be permitted to generate income at the expense of another. Conversely, no Academy should provide support at a loss.

The best way to illustrate this is through some examples.

- i The DBAT central organisation (the central office) is funded by the contribution of a percentage of the funding provided for each Academy (the Central Cost Contribution - CCC). This contribution will be set from time to time against a budget for the central office approved by the Main Board. It may vary according to the level of activity carried out at the central office. Additional funding received by the central office from other sources will contribute directly to costs at the central office and will supplement the CCC required from the Academies.

The general support provided by the central office to a particular Academy will not be subject to an additional charge, even though one Academy might sometimes receive more support than another. In the long run, this will balance out.

Sometimes, an Academy will require a planned programme of support over and above the general support from the central office. The most obvious example of this will be when a new Academy joins DBAT and a formal action plan is put in place to

support it. In pre-DBAT days, this funding would have come from either the Department for Education or a Local Authority. In future, such funding will come from the Academy itself. Planned support programmes will always require support from other Academies as well. Support programmes will be drawn up by the central office in consultation with the relevant Academy Principal and will be signed off by the Chief Executive Officer.

- ii DBAT provides opportunities for staff to share their experience with other Academies and for staff development, when a member of staff in one Academy works in another Academy to provide support. The ethos of DBAT is that all Academies regard this as a positive benefit to everyone involved and not as an opportunity for income generation.

Support will often be provided on a short term basis, perhaps only for a few days in a year and for this ad hoc support no charge will be made as, in the long run, any costs are likely to balance out. There will be occasions when staff are exchanged or when staff based in one Academy will be seconded to another for a longer term. In these circumstances full consultation will take place with the Principal, Local Board, DBAT and where appropriate the Trades Unions.

When a member of staff in one Academy works in another Academy, the charging principle is based on the answers to two simple questions:

- (a) *Does the providing Academy have to pay someone else to do the work of that member of staff while they are out of the Academy?*

If another member of staff in the providing Academy covers the provision, or staff are exchanged, the answer is 'no'. Only when the providing Academy actually incurs a tangible expense, i.e. pays a salary or an invoice to cover the provision, can this charge be passed on to the receiving Academy. The charge must be agreed by the Academies before the charge is made and proof of the expenditure must be provided. In practice, such elaborate arrangements should be completely unnecessary for short term, ad hoc arrangements.

- (b) *Would the receiving Academy have had to pay for the support received if staff had not been available from another Academy?*

When staff are exchanged (for instance when one Academy provides a teacher to another Academy to help them improve standards, while the other Academy provides to the first Academy a teacher who needs CPD), the answer will be 'no', even though the two members of staff may be paid on different salaries.

If Academies share a member of staff, (for instance, a Business Manager or an English teacher), or an Academy second a full time member of staff to another Academy (for instance a member of the Senior Leadership Team), then the 'home' Academy will make a salary charge including oncosts to the other Academy proportionate to the time that member of staff spends working for each Academy. The charge will be based on the salary and oncosts paid by the 'home' Academy, even where the salary scale point might be paid at a lower rate in other Academies. Charges must be agreed by the Academies before an agreement is reached and proof of the expenditure must be provided.

For a planned support programme, a combination of (a) and (b) will form the basis of inter-charging between the Academies involved. A support programme for an Academy joining DBAT will be signed off by the Chief Executive Officer.

Whatever the case, no Academy will make a charge for administration.

It is DBAT's intention to establish a Teaching School in the future. This will be based in a particular Academy within the Trust. Staff from other DBAT Academies will likely attend this Teaching School and therefore on its establishment the Trust's Board of Directors will decide upon the appropriate model for the billing of the provision of such services between Academies.

It is also DBAT's intention to establish a trading subsidiary in the future. The Trust's Board of Directors will decide upon the appropriate model for the billing of services between the trading subsidiary, the Trust and its Academies.

## APPENDIX 4

# LOCAL BOARD COMPOSITION

This Appendix sets out the suggested number of Local Board Members by category (and, by extension, in aggregate) that a Local Board may have. Please see clause **4.2.4** for the provisions relating to Academies which are rated as '**Inadequate**' by Ofsted. Where there is one Local Board serving more than one Academy the Local Board will be composed at the Main Board's discretion (see clause 4.1.2)

### **Composition Model A**

**Predecessor School:** Voluntary Aided

***Also to be used as standard model for new primary schools***

**Current OFSTED / DBAT rating:** Requires Improvement

Type of Local Board Member	Number
DBAT Members	2
Foundation Members *:	4
Ex-officio Foundation Member:	1
Community Members*	1
Parent Members:	2
Principal	1
Staff Member	1
<b>Total</b>	<b>12</b>

The Chair shall be appointed by the Main Board

The Main Board may co-opt 2 Local Board Members.

\* consent of Main Board to each appointment is required.

### **Composition Model B**

**Predecessor School:** Voluntary Controlled  
**Current OFSTED / DBAT rating:** Requires Improvement

Type of Local Board Member	Number
DBAT Members	5
Foundation Members *:	2
Ex-officio Foundation Member:	1
Community Members *:	0
Parent Members:	2
Principal	1
Staff Member	1
<b>Total</b>	<b>12</b>

The Chair shall be appointed by the Main Board

The Main Board may co-opt 2 Local Board Members.

\* consent of Main Board to each appointment is required.

### **Composition Model C**

**Predecessor School:** Community / Foundation (Non religious designation)  
**Current OFSTED / DBAT rating:** Requires Improvement

Type of Local Board Member	Number
DBAT Members	5
Community Members *:	3
Parent Members:	2
Principal	1
Staff Member	1
<b>Total</b>	<b>12</b>

The Chair shall be appointed by the Main Board

The Main Board may co-opt 2 Local Board Members.

\* consent of Main Board to each appointment is required

### **Composition Model D**

**Predecessor School:** Voluntary Aided  
**Current OFSTED / DBAT rating:** Good

Type of Local Board Member	Number
DBAT Members	1
Foundation Members *:	5
Ex-officio Foundation Member:	1
Community Members:	1
Parent Members:	2
Principal:	1
Staff Member:	1
<b>Total</b>	<b>12</b>

The Chair shall be elected by the Local Board

The Local Board may co-opt 2 Local Board Members.

\* consent of Main Board to each appointment is required.

### **Composition Model E**

**Predecessor School:** Voluntary Controlled  
**Current OFSTED / DBAT rating:** Good

Type of Local Board Member	Number
DBAT Members	1
Foundation Members *:	2
Ex-officio Foundation Member:	1
Community Members:	4
Parent Members:	2
Principal:	1
Staff Member:	1
<b>Total</b>	<b>12</b>

The Chair shall be elected by the Local Board

The Local Board may co-opt 2 Local Board Members.

\* consent of Main Board to each appointment is required.



### **Composition Model F**

**Predecessor School:** Community / Foundation (Non religious designation)

**Current OFSTED / DBAT rating:** Good

Type of Local Board Member	Number
DBAT Members	1
Community Members:	7
Parent Members:	2
Principal	1
Staff Member	1
<b>Total</b>	<b>12</b>

The Chair shall be elected by the Local Board

The Local Board may co-opt 2 Local Board Members.

### **Composition Model G**

**Predecessor School:** Voluntary Aided

**OFSTED / DBAT rating:** Outstanding

Type of Local Board Member	Number
DBAT Members	0
Foundation Members:	6
Ex-officio Foundation Member:	1
Community Members:	1
Parent Members:	2
Principal:	1
Staff Member:	1
<b>Total</b>	<b>12</b>

The Chair shall be elected by the Local Board

The Local Board may co-opt 2 Local Board Members.

### **Composition Model H**

**Predecessor School:** Voluntary Controlled  
**OFSTED / DBAT rating:** Outstanding

Type of Local Board Member	Number
DBAT Members	0
Foundation Members:	2
Ex-officio Foundation Member:	1
Community Members:	5
Parent Members:	2
Principal:	1
Staff Member:	1
<b>Total</b>	<b>12</b>

The Chair shall be elected by the Local Board  
The Local Board may co-opt 2 Local Board Members.

### **Composition Model I**

**Predecessor School:** Community / Foundation (Non religious designation)  
**OFSTED / DBAT rating:** Outstanding

Type of Local Board Member	Number
DBAT Members	0
Community Members:	8
Parent Members:	2
Principal	1
Staff Member	1
<b>Total</b>	<b>12</b>

The Chair shall be elected by the Local Board  
The Local Board may co-opt 2 Local Board Members.

## **Composition Model J**

***To be used as standard model for new secondary schools***

Type of Local Board Member	Number
DBAT Members	1
Foundation Members*:	7
Ex-officio Foundation Member:	1
Community Members:	3
Parent Members:	2
Principal	1
Staff Member	1
<b>Total</b>	<b>16</b>

The Chair shall be elected by the Local Board

The Local Board may co-opt 2 Local Board Members.

\* consent of Main Board to each appointment is required.

## APPENDIX 5

# DECISION TABLES

*Note: These tables are to be used as a guide. A decision table for any school, but particularly new schools, schools rated as being 'Inadequate' by OFSTED, or those in Special Measures can be determined by the Main Board on a case by case basis, in accordance with the overall strategy employed in trying to improve that Academy.*

Local Board Decision Planner for DBAT Academies Joining or within DBAT which are graded as **Requires Improvement, Good or Outstanding. (This refers to the latest Ofsted judgement unless the Main Board decides to reassess an Academy.) The standard model for all new schools will be the same as for those schools that are 'RI'.**

Key
Level 1 = powers/decisions reserved by Board
Level 2 = powers/decisions delegated to Local Board (LB) but requiring Board consent
Level 3 = powers/decisions delegated to the LB and actions reported to Board
Level 4 = powers/decisions fully delegated to LB
Level 5 = powers/decisions fully delegated to Principal and actions reported to LB

All academies must ensure that their financial and other arrangements comply with the current financial regulations, standing orders and schemes of delegation. If any doubt exists speak to a Diocesan Officer before any action or decision.

		Actions / Tasks	Decision level				
Key Function	No.	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5
<b>School improvement</b>	1	To agree an academy improvement plan which looks in detail at the next 12 months, has actions looking 3 years ahead and has strategies for 5 years		RI	G O		
	2	To cost the academy improvement plan for the next 12 months in the detail of the academy budget and ensure the 3 and 5 year plans are aspirational and affordable		RI	G O		
<b>School organisation</b>	3	To set the times of school sessions and the dates of school terms and holidays		RI	G O		

Key Function	No.	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5
	4	Maintain a register of pupil attendance					RI G O
	5	To ensure that statutory and DBAT requirements are met for information published on school website			RI G O		
	6	To ensure the provision of free school meals to those pupils meeting the criteria, including Universal Infant Free School Meals (where applicable)				RI G O	
	7	To ensure that school lunch nutritional standards are met				RI G O	
	8	To determine whether to publish a home-school agreement		RI	G O		
<b>Religious education and collective worship</b>	9	To ensure religious education is provided according to the trust deed and the Christian ethos				RI G O	
	10	To ensure that all pupils take part in a daily act of collective worship in line with statutory requirements.				RI G O	
<b>Curriculum</b>	11	To agree a broad and balanced curriculum taught to all pupils and consider any disapplication for pupil(s)			RI	G O	
	12	To implement the curriculum policy					RI G O

Key Function	No.	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5
	13	To agree which subject options should be taught having regard to resources, and implement provision for flexibility in the curriculum (including activities outside school day)				RI G O	
	14	To provide clear advice, informed by statutory guidance, on which a strategy for careers advice and guidance can be based.		RI	G O		
	15	To prohibit political indoctrination and ensure the balanced treatment of political issues	RI G O				
	16	To have due regard to the need to prevent people from being drawn into terrorism and to oversee the incorporation of the necessary procedures and practices outlined in the Prevent duty into the child protection policy	RI G O				
	17	To prohibit the teaching of creationism as evidence based theory	RI G O				
	18	To decide whether to offer additional activities and what form these should take					RI G O
	19	To put into place any additional activities to be provided					RI G O
	20	To decide whether to stop providing additional activities					RI G O

Key Function	No.	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5
<b>Pupil achievement</b>	21	Responsibility for children's education	RI			G O	
	22	Responsibility for individual education of all pupils on roll					RI G O
	23	To set and publish targets for pupil academic achievement			RI	G O	
	24	To monitor and report pupils' academic achievement including both attainment and progress, relative to pupil starting points			RI	G O	
<b>Behaviour and safety</b>	25	To publicise behaviour, discipline and exclusion policies to staff, pupils and parents.	RI G O				
	26	To monitor the effectiveness of the school's actions to prevent and tackle all forms of bullying, harassment and discrimination including cyber-bullying and prejudice-based bullying				RI G O	
	27	To monitor pupils' attitude to learning, behaviour and attitudes to staff and each other				RI G O	
	28	To monitor whether pupils feel safe and their ability to assess and manage risk appropriately and to keep themselves safe				RI G O	
	29	To monitor the overall and persistent absence and attendance rates				RI G O	

Key Function	No.	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5
	30	To exclude a pupil fixed term (less than 45 days in total a year) or permanently					RI G O
	31	To consider certain exclusions and any representations (must consider any pupil excluded permanently or for more than 5 days) NB: LB must act through the pupil discipline committee				RI G O	
	32	To agree and implement an appeals process for excluded pupils and direct reinstatement of pupils where appropriate	RI G O				
	33	To monitor the effectiveness of safeguarding arrangements			RI	G O	
	34	To implement the policy for safe recruitment	RI G O				
	35	To designate a qualified teacher to be responsible for co-ordinating SEN provision (SENCO)					RI G O
	36	To ensure that health and safety regulations are followed	RI G O				
<b>Quality of Teaching</b>	37	To put in place appropriate monitoring strategies to evaluate the quality of teaching and challenge underperformance					RI G O
	38	To provide reports to DBAT at intervals to be decided by DBAT in consultation with the Diocese Officers			RI G O		



Key Function	No.	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5
	39	To publish and update at least annually a SEN information report					RI G O
	40	To appoint a designated teacher for looked-after children					RI G O
<b>Personnel</b>	41	To appoint the Principal (selection panel)	RI G O (Chair of Local Board to sit on panel)				
	42	To appoint a Deputy Principal / Senior Management (inc Business Manager) (selection panel)		RI (DBAT Officer to advise panel)	G O (DBAT Officer to advise panel)		
	43	To appoint other teachers			RI (DBAT Officer to approve appointment)	G O (DBAT Officer to approve appointment)	
	44	To appoint non-teaching staff			RI (DBAT Officer to advise panel)	G O (DBAT Officer to advise panel)	
	45	To agree the overall staffing structure	RI		G	O	
	46	To performance manage the Principal, including determining the Principal's pay discretions, using the	RI G O			pupil	

Key Function	No.	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5
		Education (School Teachers' Appraisal) (England) Regulations 2012					
	47	To performance manage the senior management team, including determining pay discretions, using the Education (School Teachers' Appraisal) (England) Regulations 2012		RI (DBAT Officer to be part of panel)	G	O	
	48	To ensure the performance management of all other teaching and non teaching staff				RI G O	
	49	To make pay decisions and determine staff complement in line with the pay policy and legal requirements		RI	G	O	
	50	To determine dismissal payments/early retirement		RI G O			
	51	To manage any claims and disputes with staff members	RI		G O		
	52	To suspend / end the suspension of the Principal	RI G O				
	53	To suspend / end the suspension of other staff (except Principal)		RI G O			
	54	To dismiss the Principal NB: DBAT must act through Dismissal Committee	RI G O				

Key Function	No.	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5
	55	To dismiss other staff NB: DBAT must act through Dismissal Committee		RI G O			
	56	To produce and maintain a central record of recruitment and vetting checks					RI G O
<b>Finance</b>	57	To prepare and approve the first formal budget plan each financial year		RI	G O		
	58	To monitor monthly expenditure			RI	G O	
	59	To monitor termly expenditure	RI G O				
	60	Miscellaneous financial decisions (e.g. write-offs)			RI	G O	
	61	To enter into contracts (above Principals' set financial limit) in accordance with the Standing Financial Instructions and Financial Procedures				RI G O	
	62	To enter into contracts (below Principal's set financial limit) in accordance with the Standing Financial Instructions and Financial Procedures					RI G O
	63	To make payments in such manner as shall be most beneficial for the achievement of the Object					RI G O

Key Function	No.	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5
	64	To procure all required categories of insurance (the cost to be borne by the Academy)	RI G O				
	65	To investigate financial irregularities (Principal suspected)	RI G O				
	66	To investigate irregularities (others suspected)			RI G	O	
	67	To agree annual action plans and monitor how schools premiums are spent (ie, PE and sports premium, Year 7 numeracy and maths catch up premium, service premium and the pupil premium)				RI	G O
<b>Premises</b>	68	To agree a premises strategy that will identify the suitability of building and facilities in light of long term curriculum needs and to ensure the buildings and facilities are maintained to a good standard			RI	G O	
	69	Maintenance of the Academy's buildings, land and facilities to a high standard			RI	G O	
	70	To endeavour to secure capital investment			RI G O		
	71	To dispose or acquire land or interests in land to be used by the school	RI G O				
	72	To ensure health and safety issues are resolved	RI G O				
	73	To establish an accessibility plan and review it every three years			RI G O		

Key Function	No.	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5
<b>Admissions</b>	74	To determine admission arrangements annually		RI	G	O	
	75	To carry out consultation where changes to admission arrangements are proposed, or the Academy has not consulted on its arrangements in the last 7 years.			RI	G O	
	76	To implement the admission arrangements, make application decisions and manage admission appeals				RI G O	
	77	To establish and publish an admissions appeal timetable.				RI G O	
	78	To appeal against LA directions to admit pupil(s)			RI	G O	
<b>Local Board (LB) procedures</b>	79	To appoint (and remove) the Chair of the LB	RI		G O		
	80	To hold a LB meeting once a term, or more often as required by DBAT				RI G O	
	81	To regulate the LB's procedures	RI G O				
	82	To keep under review the establishment, terms of reference and membership of sub-committees		RI	G	O	
	83	To publish the structure of the Local Board and any sub-committees including term of office and attendance record				RI G O	
	84	To submit governor information to the DfE database of governors via Edubase				RI G O	
	85	To set up a Register of LB members' business and pecuniary interests			RI	G O	
	86	To fill LB vacancies				RI	

Key Function	No.	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5
						G O	
	87	To agree LB member induction and training programme				RI G O	
	88	To audit LB members' skills			RI	G O	
	89	To review progress against strategic plan and evaluate LB performance.			RI	G O	
	90	To approve and set up a LB members' expenses scheme.			RI	G O	

## Appendix 6

### DBAT local boards – ex-officio foundation members

<b>Local Board</b>	<b>Ex-officio foundation member(s)</b>
Christian Malford/Seagry/Somerfords' Walter Powell	Rector: Draycot benefice Rector: Woodbridge benefice
The Deanery	Vicar: Christ Church, Swindon
Easton	Priest-in-charge: Easton - Holy Trinity with St Gabriel & St Lawrence & St Jude
Fishponds	Priest-in-charge: All Saints, Fishponds
Lydiard Millicent/Ridgeway Farm	Vicar: All Saints, Lydiard Millicent
St Peter's	Priest-in-Charge: St Peter, Chippenham
South Marston	Priest-in-Charge: St Mary Magdalene, South Marston
Tadpole Farm	Priest-in-Charge: St Andrew, North Swindon