

CHILTERN HILLS ACADEMY

GOVERNING BOARD - SCHEME OF DELEGATION

| Date of issue | Issue number | Revised sections / pages | Details of revision |
|---------------------------|--------------|--|--|
| 22 nd Oct 12 | 1 | ALL | New Document on formation of academy |
| 24 th March 14 | 2 | Annex A, Annex D | Revised Finance terms to include audit responsibility and revised Marketing & evaluation committee terms |
| 2 nd April 14 | 2.1 | Amendments to Mgmt Committee opening paragraph | Removed "and racial" and changed to "equality" |
| June 14 | 2.2 | Audit committee TOR | Annexe A, Section 5 |
| 6 th Oct 14 | 2.3 | Finance Committee | Revised to include "recommend" instead of "agree" |
| 11 Oct 16 | 3 | Finance Committee | 4.17 wording changed from up to £5000 to items with an original purchase price of over £3000. |
| 11 Oct 16 | 3 | Finance Committee | Wording changed from full subsequent to subsequent full |
| 11 Oct 16 | 3 | Finance Committee | Wording changed to at least four governors from three |
| 16 Nov 16 | 3 | Management Cttee | Annexe D - Marketing Committee deleted |
| 18 Oct 17 | 4 | Finance Committee | Page 1 Point 2a) and Audit added Page 4 and Audit added to title 1.1 and Audit committee added |
| 24 Apr 18 | 5 | Management Cttee | Add TORs for Marketing (6.1 & 6.2) |
| 21 June 18 | 6 | Staff Warning Committee | TORs added and amendments made to numbering of Annexes Wording amended to remove "The Chair of the Academy Finance Committee shall be an ex officio member of the Academy L&T and Management Committees". |
| 23.11.18 | 7 | Management | The word "Marketing" included in introductory paragraph |

1. This Scheme of Delegation is established by the Governing Board under its powers contained in the Articles of Association of The Chiltern Hills Academy 2011.
2. The following Standing Committees are established to exercise on behalf of the Governing Board the functions referred to in the Terms of Reference of those Standing Committees contained in Annexes A B, and C to this Scheme respectively:
 - a) Academy Finance and Audit Committee
 - b) Academy Learning and Teaching Committee

c) Academy Management Committee

3. The following Statutory Committees are established to exercise the functions set out in Annexes E, F, G, H and I to this Scheme respectively:

- a) Staff Dismissal Committee
- b) Staff Dismissal Appeal Committee
- c) Student Discipline Committee
- d) Admissions Committee

4. The following Occasional Committees are established to exercise the functions set out in Annexe I to this Scheme:

Staff Grievance Appeals Panel

(No member of the Staff Dismissal Committee shall qualify for membership of the Staff Dismissal Appeal Committee)

5. The powers set out in Annexe J to this Scheme are delegated to the Principal.

6. In accordance with the Articles of Government, the establishment, terms of reference, constitution and membership of any committee of the governors shall be reviewed at least once in every twelve months, usually at the first meeting of the Governing Board in the Academy year. The membership of any committee of the governors may include persons who are not governors, provided that a majority of members of any such committee shall be governors. The governors may determine that some or all of the members of a committee who are not governors shall be entitled to vote in any proceedings of the committee. No vote on any matter shall be taken at a meeting of a committee of the governors unless the majority of members of the committee present are governors.

MEETINGS AND PROCEEDINGS OF COMMITTEES

7. Any matter delegated to any Standing Committee shall be subject to the following restrictions and conditions:

- a) The Committee shall give effect to any resolution of the Governing Board on matters of policy or principle;
- b) Notwithstanding the delegated powers given to a Committee, the Governing Board may at any time call for any matter which is still under discussion to be referred to it for decision.

8. Any member of the Governing Board may attend any Committee meeting (even if not a member) and, with the consent of the Chair of that Committee, speak but not vote.
9. The quorum for a meeting of a Committee shall be three voting members in each case (unless otherwise determined by the Governing Board) members of the Committee who are not members of the Governing Board shall not be entitled to vote, unless otherwise determined by the Governing Board.
10. Every question shall be decided by a majority of votes of the eligible members present and voting on that question save that where there is an equal division of votes, the person who is acting as Chairman of the meeting shall have the casting vote. No vote on any matter may be taken at a meeting of any Committee unless the majority of the members of the Committee present are members of the Governing Board.
11. Any Committee shall report to the Governing Board in respect of any action taken or decision made with respect to the exercise of its functions at the meeting of the Governing Board immediately following the taking of the action or the making of a decision except that the Staff Dismissal and the Student Discipline committees will only report their decisions without statements or reasons of evidence, so that the Governors who may form an Appeal Committee are not involved and any appeal is not prejudiced.
12. In the event of the person appointed by the Governing Board to act as clerk to a Committee failing to attend a meeting of that Committee, the Committee shall appoint one of their number to act as clerk for the purposes of that meeting.
13. The agenda for any meeting of a Committee shall be prepared by its Chairman in consultation with the Principal. Each meeting shall be convened by the Clerk or Acting Clerk of that Committee who shall give each member (and the Principal) at least seven clear days' notice in writing thereof and a copy of the agenda for the meeting save in cases of emergency. So far as is possible, Chairs of Committees will arrange dates for Committee meetings at the same time as those for full Governing Board meetings are fixed, at the beginning of the Academy year.
14. The minutes of the proceedings of each meeting of a Committee shall be drawn up, recorded, and duly approved. Minutes should record decisions and other main points together with such brief explanations as may be necessary. Confidential matters shall be recorded as Part 2 items and, as such, subject to restricted circulation (in case of doubt to be resolved by the Chair). The Clerk to the Governing Board shall arrange for such minutes to be circulated to all members of the Governing Board and for them to be included as an item on the Agenda at the next meeting of the Governing Board.
15. If the person appointed as Chair of a Committee is absent from any meeting of the Committee, the members of the Committee who are present shall, before proceeding to any other business, appoint any of their number (not being an employee of the Academy or a registered student or a person who is not a member of the Governing Board) to be Chair of the meeting.

SCHEME OF DELEGATION

ANNEXE A

ACADEMY FINANCE AND AUDIT COMMITTEE

Terms of Reference

The committee is concerned with monitoring the work of the academy in terms of its financial control.

Membership and terms of reference will be reviewed annually.

1. Membership

1.1. The Academy Finance and Audit Committee shall consist of at least four governors and will be advised by the Principal and the Finance Manager.

1.2. The Committee will appoint the Chair annually at first meeting of academic year.

1.3. The Committee may have such co-opted non-voting members as the Governing Board shall appoint. The Committee may make recommendations for these appointments.

2. Quorum

2.1. The quorum shall be three governors.

3. Meetings

3.1. The Committee will meet as necessary and at least 3 times a year. The Committee shall elect a chair who will be responsible for ensuring the agendas are produced, minutes of the meeting are taken and a report presented to the subsequent full Governing Board meeting.

4. Terms of Reference – Finance

4.1. Agree the Finance Regulations Manual of the academy and review this on an annual basis.

4.2. Review with the Principal and the Finance Manager the projected income compared to the estimated expenditure for the period of the Academy Development Plan and refer any potential budget issues to the Governing Board.

- 4.3. Consider and recommend the annual budget for approval to the Full Governing Board.
- 4.4. Consider and monitor all means of external finance to the school.
- 4.5. Ratify any virements for monies between budget lines of less than £10,000 initially approved by the Principal to the approved annual budget following notification by the Principal or Finance Manager.
- 4.6. Consider monthly budget monitoring reports prepared by the Finance Manager and submit reports to the full Governing Board on the budget position, together with any proposed corrective action to address significant variances between expenditure and budget.
- 4.7. Consider the effect on the budget of changes in pay structure and of any new appointments or changes in existing employees' salaries.
- 4.8. Ensure that the academy has formal financial procedures and that these procedures are reviewed at least annually paying particular attention to any recommendations made by internal or external audit.
- 4.9. Where financial benchmarking is available, use it to compare expenditure with similar schools/academies and to review value for money issues throughout the academy with due regard to the terms of reference - Audit.
- 4.10. Review annually a register of pecuniary interests for academy governors.
- 4.11. Review annually all insurance arrangements for the academy.
- 4.12. Consider reports and funding proposals from the Academy Learning and Teaching and Management Committees and from the Principal and/or any other committee or working party.
- 4.13. Receive reports from the Responsible Officer following each monitoring visit.
- 4.14. Review the detailed financial scheme of delegation on an annual basis.
- 4.15. Maintain a minimum of a three-year financial forecast for the academy.
- 4.16. Review all contracts entered into by the academy termly.

4.17 Security of assets:

- Ensure annual individual checks of assets and the asset register.
- Authorise the disposal of individual items of equipment and materials which have become surplus to requirements, unusable or obsolete, with an original purchase price of over £3000, and report such authorisations to the Governing Board.

4.18 Oversee the Business Continuity Plan together with the Management Committee.

4.19 Review the Financial Risk Register on a termly basis.

5. Terms of Reference – Audit

5.1 Review the effectiveness of financial controls including:

- Oversee the academy's policy on fraud and irregularity;
- Oversee the academy's corporate governance arrangements including the code of practice;
- Monitor the effectiveness of the internal Responsible Officer checks and external audit services and promote co-ordination between the two;
- Monitor the academy's arrangements to secure value for money.

5.2 Review the effectiveness of risk management including:

- Advise the Governing Board on risk and continuity management;
- Review and analyse information on risks;
- Act as a catalyst for risk management activity across the academy.

5.3 Consider and advise the Governing Board on the appropriateness of the Responsible Officer checks.

5.4 In relation to external audit:

- Advise the Governing Board on the appointment and remuneration of external auditors and the scope of their work;
- Guide the external auditor on the nature and scope of the audit as necessary.

5.5 Prepare an annual report for submission to the Governing Board including an opinion on the effectiveness of the internal control system and the pursuit of Value for Money together with an assurance on risk management.

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ANNEXE B

ACADEMY LEARNING AND TEACHING COMMITTEE

Terms of Reference

The committee is charged with challenging and supporting the work of the Academy in raising standards of achievement through the curriculum.

Membership and terms of reference are to be reviewed annually.

1. Membership

- 1.1 The membership will be a minimum of four governors and be advised by the Principal, the Vice Principal for Standards and the Vice Principal for Specialisms.
- 1.2 The Committee shall elect a chair annually who will be responsible for ensuring the agendas are produced, minutes of the meeting are taken and a report presented to the full subsequent Governing Board meeting.

2. Quorum

The quorum will be three governors.

3. Meetings

- 3.1 The committee will meet as necessary at least three times a year.
 - 3.1.1 In the autumn term to evaluate progress on targets set in relation to the performance of students in external examinations. New targets and priorities shall be agreed with the Principal or his representative.
 - 3.1.2 In the summer term to review how targets and priorities are translated into the current Academy Development Plan and to make recommendations to the full Governing Board.

4. Terms of Reference

- 4.1 In conjunction with the Principal or his representative, to set annual targets for the Academy, expressed through the Academy Development Plan.
- 4.2 To monitor progress towards stated targets and challenge under-performance.
- 4.3 To oversee the discharge of the Governors' statutory responsibilities with regard to the curriculum.
 - 4.3.1 The Governors' curriculum policy
 - 4.3.2 Special Educational Needs (Individual and Additional Educational Needs)
 - 4.3.3 Sex and Relationships education
 - 4.3.4 The National Curriculum

- 4.3.5 Variability in subjects, colleges and other teams
- 4.3.6 Gender issues
- 4.3.7 Groupings.
- 4.4 In conjunction with the Principal and Vice-Principals, to oversee the arrangements for religious education and collective worship and ensure they are in accordance with the Academy's Memorandum and Articles of Association and the funding agreement with the DfE.
- 4.5 To monitor the provision for additional learning experiences beyond the formal curriculum.
- 4.6 To monitor the effectiveness of the Academy's specialisms of design and the performing arts.
- 4.7 To monitor the expression and impact of the faith designation, undertaking an annual review of its effectiveness in consultation with the Principal.
- 4.8 The committee may undertake the monitoring of the Academy's performance in conjunction with the Principal or his representative through:
 - Meetings with key members of staff or with teams
 - Receiving reports
 - Visits to the Academy
- 4.9 The committee will refer its proposed targets, priorities and decisions, following reference to the management and finance committees, to the Governing Board for confirmation.
- 4.10 The committee will undertake to review the following sections of the Self Evaluation Form (SEF):
 - Section 1: Achievements and Standards
 - Section 2: Learning and Teaching
 - Section 3: Leadership and Management
 - Section 4: Behaviour and Safety
 - Section 5: Wellbeing
- 4.11 The committee will monitor the contribution of the Academy partners to the Learning and Teaching of the Academy making recommendations to the Governing Board on changes to the relationship with partners.

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ANNEXE C

ACADEMY MANAGEMENT COMMITTEE

Terms of Reference

The committee is concerned with all matters relating to personnel, including the training and development of staff (except those responsibilities reserved to the Staff Dismissal/Employee Grievance Committee); child protection, equality, student discipline, exclusions, re-integration and permanent exclusion; estates management and marketing.

Membership and terms of reference are to be reviewed annually.

1. Membership

- 1.1 The committee shall consist of at least four governors and will be advised by the Principal, or through his representative.
- 1.2 The committee may have such co-opted non-voting members as the Governing Board shall appoint. The committee may make recommendations for these appointments.

2. Quorum

The quorum shall be three governors.

3. Meetings

The committee shall meet at least three times a year and otherwise as required. The committee shall elect a chairperson annually who will be responsible for ensuring the agendas are produced, minutes of the meeting are taken and a report presented to the full Governing Board meeting once each term.

4. Terms of Reference – Personnel

- 4.1 The committee is mandated to make decisions on behalf of the Governing Board regarding the selection and appointment of staff, other than those within the remit of the Principal and senior appointments when other arrangements must apply.
- 4.2 The committee will review regularly the academy policies relating to the Governors' employment responsibilities, including review of pay and performance management policies.

- 4.3 The committee will monitor the terms and conditions of service of all employees in accordance with the academy's pay policy and make recommendations to the full Governing Board.
- 4.4 The committee will ensure the academy operates a performance management system that meets the mandatory requirements.
- 4.5 The committee will receive reports from the SIP regarding the performance in the completion of targets for the Academy and this will include matters relating to staff training and Academy development plans.
- 4.6 The committee will ensure that the academy has appropriate induction arrangements for new staff and that requisite safeguarding (Criminal Record Bureau) checks are undertaken.
- 4.7 The committee will monitor induction support for staff new to the academy.
- 4.8 The committee will review the staffing structure regularly in relation to the Academy's Development Plan and make recommendations for decisions by the full Governing Board as appropriate.
- 4.9 The committee will have concern for the induction and training of governors.
- 4.10 The committee will monitor the effectiveness of the academy as an employer, using the Investors in People framework as a standard.
- 4.11 To appoint a lead governor for child protection and special educational needs to liaise with key academy personnel.

5. Terms of Reference – Estates

- 5.1 The committee will ensure that the academy has a planned site maintenance and development programme with appropriate timescales and costs.
- 5.2 The committee will review the academy's Health and Safety policy annually, overseeing an action plan and ensuring that the academy takes all reasonable steps to comply with the Health and Safety at Work Act etc (1974) and related legislation.
- 5.3 The committee will oversee all matters relating to the construction, improvement, site maintenance and security, insurance, cleaning and upkeep of the academy buildings and grounds.

- 5.4 The committee will monitor and review external contracts, considering proposals for renewal or otherwise as appropriate.
- 5.5 The committee will monitor the financial costs of the catering provision and equipment.
- 5.6 The committee will review annually the academy's Letting Policy and oversee arrangements for the use of the academy premises.
- 5.7 The committee will monitor the progress of new buildings, ensuring they are fit for purpose and represent best value.

6. Terms of Reference – Marketing & Evaluation

- 6.1 The committee will review feedback from parent and carer surveys and make recommendations to the Governing Board of ways to address any issues identified.
- 6.2 The committee will advise the Governing Board on all matters relating to the promotion and marketing of the Academy with its immediate and wider community.

Conclusion

It is recognised that this committee may need to liaise with other committees from time to time, e.g. the Academy Finance Committee concerning pay reviews.

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ANNEXE D

STUDENT DISCIPLINE COMMITTEE

Terms of Reference

To discharge the functions of the Governing Board set out in the Academy's Behaviour for Learning Policy.

ANNEXE E

STAFF WARNING APPEAL COMMITTEE

Terms of Reference

To deal with any appeal to a staff capability matter except dismissal.

ANNEXE F

STAFF DISMISSAL COMMITTEE

Terms of Reference

To hear and determine cases involving the termination or non-renewal of contracts of employment.

ANNEXE G

STAFF DISMISSAL APPEAL COMMITTEE

Terms of Reference

To hear and determine any appeal in respect of a decision of the Staff Dismissal Committee.

ANNEXE H

ADMISSIONS COMMITTEE

Terms of Reference

1. To exercise the power of the Governing Board to determine applications for admission to the Academy in accordance with Annex 2 to the Funding Agreement with the Secretary of State for Education and to discharge the functions conferred on it by relevant Education Acts and Regulations to deal with issues relating to admissions.
2. To ensure that the responsibilities of the Academy under Annex 2 in respect of the provision of information to the local authority (LA) are carried out.
3. To ensure that the Academy is represented on the local Admissions Forum.

4. Membership

The Admissions Committee shall consist of not less than three governors, one of which will normally be the Principal.

5. Quorum

The quorum of the committee shall be three governors.

6. Meetings

Meetings will be held on an as and when needed basis. Minutes will be taken which show the basis of the decisions reached.

Decisions will be reported to the full Governing Board.

7. Terms of Reference

- 7.1 The Principal will have delegated responsibility to apply the admission arrangements and agree admissions where places are available and there are sufficient places for all those applying. Decisions which may result in a refusal will need to be determined by the Committee.
- 7.2 The Committee will also be responsible when applying the criteria for making judgements about those who in their judgment fulfil the admission criteria for special medical or social circumstances.
- 7.3 The Committee will annually review the school's admission policy, including the published admission number and the area served by the school and present a draft of the policy to the Governing Board for approval for statutory consultation.
- 7.4 The Committee will review responses from the consultation period and make a recommendation to the full Governing Board for final determination having regard to the comments received.
- 7.5 The Committee will keep under review the size of the year groups that have no formal admission number and make recommendations to the full Governing Board about what would be an acceptable limit.
- 7.6 The Committee will also receive reports from the Principal about the need to remove from the roll students who have taken and exceeded the leave of absence agreed and the checks which have been carried out to ascertain the whereabouts of the students in question.
- 7.7 Where the Committee refuse a request from a parent for admission of their child the Committee will ensure that the parent is informed of their right of appeal against that decision and how that appeal may be made.
- 7.8 The Committee will have full regard to the School Admissions and School Admission Appeal Codes and comply with all of the mandatory provisions of the Codes.

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ANNEXE I

STAFF GRIEVANCE APPEALS PANEL

Terms of Reference

To hear appeals on staff grievance matters

ANNEXE J

POWERS OF THE GOVERNING BOARD DELEGATED TO THE PRINCIPAL

1. Appointment of all staff, excluding SLT positions, within approved staffing structures. For Head of Sixth Form and Finance Manager, at least one Governor must be present at interview and, for the Vice Principals, at least two Governors must be present at interview. The Principal will obtain the Chairman's approval to any urgent changes required to the staffing structure, where it is not possible to do this through the normal committee programme.
2. Provision of advice to the Admissions Committee on applications for admission.
3. To deal with discipline and grievance involving employees, including the power to dismiss staff other than those expressly delegated by the Governing Board to Committees under this Scheme or otherwise.
4. To enter into contracts on behalf of the Academy, up to a limit of £10,000.
5. In conjunction with the Senior Leadership Team, to draw up the Academy Development Plan for approval by the Governing Board.

These Terms of Reference were adopted at the School's Governing Board Meeting as dated below. The composition and terms of reference will be reviewed annually in the Autumn Term.

Signed Date
CHAIRMAN OF THE GOVERNING BOARD