



Akaal  
Primary School

# Governance arrangements

November 2019

# Contents

<b>1. Structure of the governing body and its committees</b>	<b>3</b>
<b>2. Governor training and professional development</b>	<b>8</b>
<b>3. Governance in action</b>	<b>9</b>
<b>4. Governors' responsibilities as trustees and directors</b>	<b>14</b>
<b>5. Terms of reference for committees</b>	<b>17</b>
<b>6. Code of practice for governors</b>	<b>26</b>

# 1. Structure of the governing body and its committees

## The Akaal Academy Trust Derby

Governance of Akaal Primary School is through the Akaal Academy Trust Derby, a charitable company limited by guarantee (8628019), which has been registered at Companies House. Its members are:

- Rajinder Singh Purewal
- Daljit Singh Virk
- Chatarpreet Singh.

One member of the company is also a trustee. This enables two non-trustees to challenge the remaining trustee and to ensure that any decisions needed by members can be independent of the governing body.

The constitution of the company follows the model Articles of Association set out by the Department for Education (DfE) for a single academy (free school).

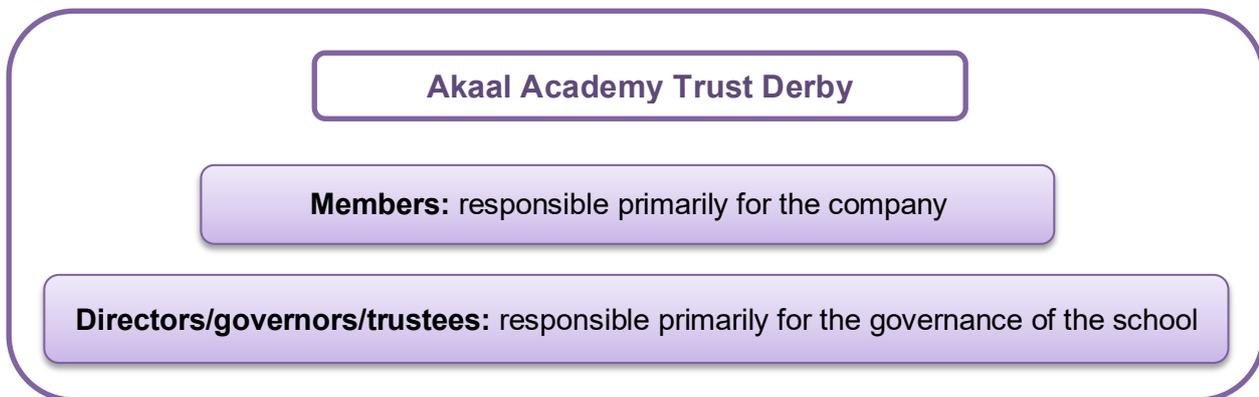
## Registration and other details

<b>Action</b>	<b>Date</b>
Company registered at Companies House	29 July 2013
Members of the trust signed Register of Members	29 July 2013
Trustees registered on Companies House website	6 July 2014
Shadow governing body (board of trustees) constituted	6 July 2014
Chair and vice-chair of shadow governing body appointed	11 July 2014
Revised articles registered at Companies House	15 January 2015
School opened with executive headteacher (EHT) and head of school	1 September 2015
Committees of the governing body start operating	12 January 2016
EHT role removed and head of school appointed as headteacher	1 September 2018

### The distinction between members and governors

The members provide key elements of the vision and direction for the school and will be the guardians of its status as a Sikh faith school. Members appoint directors / governors / trustees to form the governing body of Akaal Primary School, in accordance with the articles of association. Members are primarily responsible for:

- oversight of the achievement of company objectives
- appointing some of the governors and ensuring that the governing body has secure procedures for electing parent and staff governors
- removing the governors if this were to become necessary.
- conducting an annual general meeting and any extraordinary general meetings that are needed.
- signing off the company's financial accounts and annual report.
- amending the articles of the company where necessary.



For clarity the term governor will be used for the role of director, governor and trustee. The governors of Akaal Primary School will have three areas of responsibility as:

- directors in respect of company law
- governors in respect of education law
- trustees in respect of charity law.

The full governing body determines the strategic direction of the school and holds it to account for its performance, ensuring that its resources are used wisely and efficiently.

As the employer of all staff, the governing body also takes on responsibility for implementing all requirements on schools under health and safety, employment and equalities law. It ensures the school's procedures for child protection and safeguarding are fully in place.

### The governing body of Akaal Primary School

The governing body of Akaal Primary School consists of up to 12 governors, plus any co-opted governors:

- 7 appointed by the members of the Akaal Academy Trust Derby
- 1 governor appointed by the members to represent the Sikh faith fully, should one of the

- seven governors above not take on this role
- 2 elected parents
- 2 elected members of staff
- the headteacher of the school (the headteacher has chosen to be a governor)

At their meeting on 4 October 2016, the governing body took the decision to co-opt a further governor to support the development of the Sikh faith.

The members of the company, with the support of its advisers, undertook an audit of the skills base needed within the governing body and matched these to the proposed governors when the governing body was first set up. The main skills identified were:

- education
- welfare
- finance
- marketing
- legal

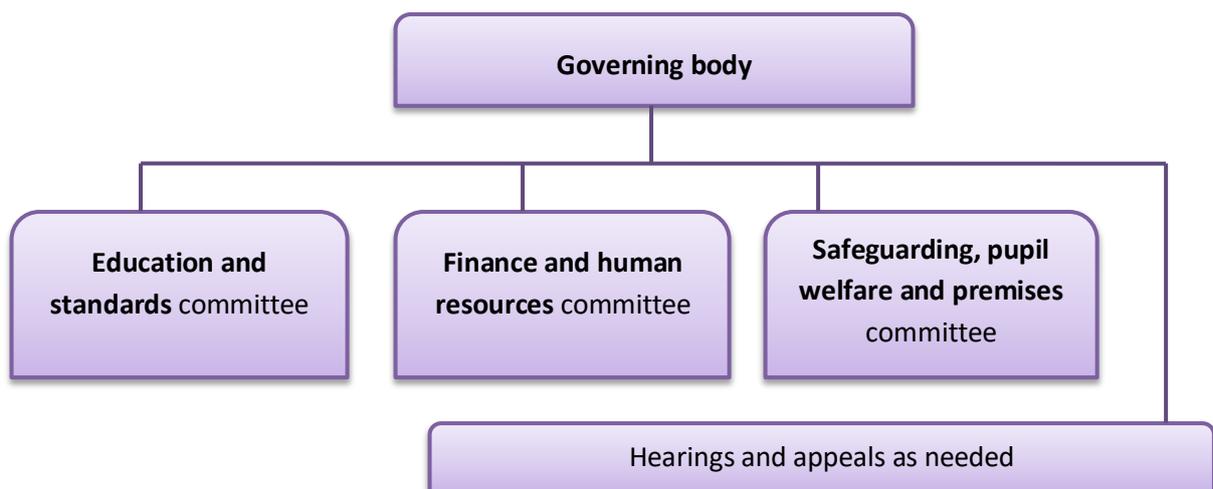
The governing body recognises that it can fulfil the first four of these from among its membership, but that it lacked a trustee with legal background. The governing body recognises that it is likely to need legal support at various points in the future and will consider alternative sources of legal support as needed.

### The current governing body

A list showing the current governing body of Akaal Primary School can be found on the school's website: [www.akaalprimaryschool.org](http://www.akaalprimaryschool.org) . This also indicates the responsibilities the governors hold.

### Committee structure

The governing body works with three main committees, as set out in the diagram below.



The governing body and its committees act as critical friends of the school, providing challenge to ensure accountability and support for staff in promoting improvement. Further committees with specific tasks will be formed, as needed, to deal with hearings and appeals.

The size of the governing body has been selected so that we have an efficient decision making forum. There are sufficient governors to ensure that our committee structure can run effectively and so that we can separate the business of decision making from any subsequent appeals.

We expect governors to serve on one committee, although some may to serve on two. Each of the three main committees, therefore, comprises four governors, in addition to the Headteacher.

The governing body determines the membership and chairs of each committee at the first meeting of each school year.

Governors will form panels for hearings and appeals as needed. Any identified gaps in the skills necessary to operate the committees effectively will be filled through co-option to committees.

### **Integrity of governance**

To ensure the integrity of governance, members and governors will:

- exercise independent judgement with reasonable care and skill
- act fairly in all its decisions, ensuring that decision making is based on full and rigorous scrutiny of evidence
- not accept benefits from third parties
- avoid conflicts of interest and declare any interest they may have in any proposed transaction or arrangement with the Akaal Academy Trust Derby or the Akaal Primary School
- only act within their powers as set out in the articles of association to promote the success of Akaal Primary School, always taking account of:
  - the best interests of the school's pupils, their parents and its employees
  - the long-term consequences of their decisions
  - its relationship with suppliers and customers
  - the interests of the community and environment
  - the reputation of the Akaal Academy Trust Derby.

Governors, in their capacity as directors and charity trustees of the Trust, will ensure that it is solvent, well run and delivering the charitable outcomes for the benefit of the public for which it has been set up. Governors have signed a code of practice to reinforce these points; the code is included in section 7.

### **The governing body's responsibilities**

The governing body and each of its committees are responsible for:

- setting and maintaining the strategic direction of the school
- establishing and supporting the ethos of the school
- monitoring and challenging the school through
  - committee meetings
  - linked governance on a specific areas of the school
  - scrutiny of pupils' achievements and the performance of the school
  - monitoring progress with an annual school development plan
- developing an understanding of the overall strengths and weakness of the school and how it intends to address its priorities within its budget.

### Audit function

The governing body has decided, in this small trust with a single school, to include the required audit function within the Finance and Human Resources Committee. This committee will include one member whose role will be to ensure that the financial controls and systems used are suitable and that the finance staff and the committee itself are compliant with these controls and systems, and with the requirements set out in the Academies Financial Handbook current at the time. We would not expect any member of staff, other than the Head of School, to be a member of the finance committee. The detailed operation of the governing body's committees is set out later in this document.

### The commitment expected from governors

To ensure that the governing body and its committees are able to take on their responsibilities, individual governors must have a commitment to:

- attend meetings of the governing body and nominated committee(s)
- complete a skills audit regularly, initially annually
- complete a declaration of interests form annually and inform the clerk to the governing body of any changes during the year
- undertake at least one training session annually organised by the governing body
- produce a pen picture for the governor area of the school's website and other documentation
- link with a particular area of the school and gain a clear understanding of the leadership and management of that area (for example achievement, behaviour, teaching and learning, finance, and health and safety) and be able to speak confidently about that area during discussions in meetings of the governing body.
- undertake at least one visit to the school during the working day in order to: meet students, tour the academy, meet with staff or parents, explore an issue raised in discussions and feed back these experiences in a short report to governors
- attend one after-school celebration event each year (for example an assembly, prize-giving, school production or other event)
- attend, where appropriate, meetings of a committee set up in relation to disciplinary issues
- attend, where appropriate, interviews for staff who would hold responsibility allowances
- gain an understanding of the performance of the school and be prepared to question elements of it during meetings of the governing body and its committees.

A full explanation of the expectations of all governors is set out in section 4 of this document.

### Governors' skills

The Trust keeps governors' skills under scrutiny to check that the governing body has the necessary skills within it to carry out its functions well.

## 2. Governor training and professional development

### Training for governors

Although some governors have had experience of serving on governing bodies, the chair of the governing body has participated in the *Chairs of Governors' Leadership Development Programme*, through the National Governors' Association, which is an extended course available in the East Midlands through the Leicester Teaching School.

The governing body has decided to join Leicestershire's Governor Development Service. This organisation provides an information services and training for governing bodies and we envisage that it will provide a series of training sessions well suited to a free school (academy) and including the more specific areas of:

- getting to know the school through visits and reports
- safeguarding and child protection
- school performance data
- special educational needs provision and the role of the special educational needs governor

We will also continue to make use of the school's advisers to the governing body, two of whom will bring their experience of school inspection to ensure the governing body is fully aware its range of responsibilities that may be explored in inspection.

### 3 Governance in action

#### Delegated responsibility to committees and individuals

The governance, leadership and management of Akaal Primary School are determined by a scheme of delegation.

The scheme of delegation lists all the main decisions that need to be made, whether by the governing body, one of its committees or an individual employee is responsible for each decision, and sets out the financial and other limits on action. By identifying where key decisions are most effectively taken, the governing body ensures that all committees and individuals are clear about the full extent of their responsibilities. The schedule is reviewed annually to ensure it reflects best practice and includes any new features.

As part of the scheme, the governing body formally approves terms of reference for each of its committees. For each committee, these set out:

- the aims and purpose of the committee
- what powers are delegated to the committee by the governing body
- the specific decisions it will make or advice it must give and to whom
- its membership and quorum
- how it will report on its work.

The broad areas of responsibility for the governing body and its committees are set out in the table below. The timelines given below are the expected steady-state frequencies when the school is fully established.

In the early stages of the school being open, meetings of the governing body may be more frequent to ensure that key decisions are made with the full involvement of all governors. Once the working of the committees is fully underway, we expect the governing body will work to its declared timeline, with much of the business being undertaken in committees.

The terms of reference for the three committees are set out in appendices to this document.

<b>The governing body and its main committees</b>	
<p><b>Full governing body</b></p> <p><i>Meets at least three times a year</i></p>	<p>Set out and maintain the vision for the school</p> <p>Appointment of chair and co-opted governors; appointment of committees and committee chairs; appointment of clerk; agree a scheme of delegation</p> <p>Arrange for elections of parent and staff governors; induction and training of governors; succession planning for governors</p> <p>Appointment of a person or company to conduct internal audit services and (separately) an external auditor</p> <p>Compliance with statutory requirements</p> <p>Budget approval</p> <p>Agree an annual self-evaluation and development plan, based largely on an evaluation of the school’s performance as it strives to achieve its mission</p> <p>Policy approval, following recommendations from committee(s)</p>

<p><b>Education and standards committee</b></p> <p><i>Meets at least termly</i></p>	<p>The school's performance; reviewing national test results, and internal assessments of attainment and progress</p> <p>Self-evaluation and ensuring the school is "Ofsted-ready"</p> <p>The interpretation of the school's vision and Sikh values into the school's ethos relating to the curriculum and teaching</p> <p>The quality of teaching and its link to pupils' progress</p> <p>Effective provision of the curriculum, including RE, Sikh studies and other enrichment activities, within the school's Sikh values and vision, and the promotion of values of tolerance and democracy</p> <p>Use of educational technology, ensuring latest developments are considered</p> <p>Relevant policy development and recommendation to the trust</p>
<p><b>Finance and human resources committee</b></p> <p><i>Meets at least termly</i></p>	<p>Budgets, accounting and financial control procedures, debt collection, banking arrangements</p> <p>Employment legislation; staffing structures, recruitment and salary levels; performance management of staff</p> <p>The effectiveness of leadership and services in the school</p> <p>Monitoring major premises projects, overseeing developments; fundraising; the financial and operational efficiency of the Trust</p> <p>Procurement of services</p> <p>The adequacy and effectiveness of the Trust's systems of internal control and its arrangements for risk management and governance processes</p> <p>Oversight of all aspects of the work of the internal audit service and the external auditor</p> <p>Ensuring that the staffing, premises and resources support the school's Sikh values and vision</p> <p>Review and advise on any areas that require financial and other areas that require legal compliance.</p> <p>Relevant policy development and recommendation to the trust</p>
<p><b>Safeguarding, pupil welfare and premises committee</b></p> <p><i>Meets at least termly</i></p>	<p>Oversight of child protection, safeguarding and pastoral matters</p> <p>The interpretation of the school's vision and Sikh values into the school's ethos relating to welfare, and life in modern democratic and multicultural Britain</p> <p>Oversight of health and safety matters</p> <p>Oversight of premises and resources management and long-term decisions about premises use</p> <p>Marketing, responding to local demographic and economic changes</p> <p>Identifying and building partnerships with schools and other organisations at transition points; admissions</p> <p>Relevant policy development and recommendation</p>
<p><b>Appeals and hearings</b></p>	<p>Set up as and when needed to deal with hearings and appeals related to exclusions, disciplinary and other matters</p>

## Key roles

The governing body will ensure that there is a clear distinction between the roles of chair of the governing body and the Headteacher. It is good practice for governors (particularly the Chair and committee chairs) to be in regular contact with the Headteacher to ensure they are well informed.

Chair of the governing body	Headteacher
The smooth running of the governing body and the main link with the Trust	The implementation of the agreed strategic vision for Akaal Primary School
The strategic vision for Akaal Primary School, the accountability of staff and ensuring that all its activities and education provision comply with company, education and charity law	The day-to-day leadership and management of the school, including its curriculum, behaviour and ethos, educational outcomes, finances and premises
The public face of the school, where necessary	The main point of contact with parents, prospective parents and others
Dealing with any complaints	Resolving any issues so that there is no escalation to a complaint

These responsibilities will be linked to the cycle of meetings of the governing body so that it is clear when and how the Headteacher and other staff will be required to report to governors on the outcomes and operation of the school.

Individual governors will be also identified to take a particular interest in a range of aspects of the school, particularly in respect of safeguarding and child protection, and the provision the school makes for literacy and numeracy support, disabled pupils and those who have special educational needs, and those who speak English as an additional language.

## Operation of the governing body and its committees

The governing body will establish a good working relationship with the Headteacher. This will include generation of further policies, procedures, schemes of work, and arrangements that will support the school's ethos and set the conditions for high levels of achievement. The governing body and its committees expect regular reports on the work of the school in the areas of:

- staff appointments and staffing
- admissions
- premises and resource deployment
- policies and procedures
- the curriculum and the quality of teaching
- pupils' attainment and progress
- pupils' behaviour.

Additionally, governors will expect to visit the school to familiarise themselves with the school and its work. Governors will be made aware of the distinction between visits that enable them to acquire an understanding of the school and what might be seen to be inappropriate evaluations where professional education expertise is needed.

It is expected that the Headteacher will attend all meetings of the governing body and its committees. The business manager will also be expected to attend the meetings of the finance and human resources committee and the meeting of the full governing body at which the school's

budget is agreed. By agreement, the business manager (when appointed, or equivalent) might attend other meetings where financial expertise is required.

One governor with a financial background will have a specific role in supporting and challenging the business manager to ensure that the school operates efficiently within its budget. A second governor with a financial background will have a specific brief to ensure that the operation of the school's financial systems complies with the requirements on the current version of the Academies Financial Handbook.

### **Managing conflicts of interest**

Any conflict of interest between a governor's personal interest and the interests of the school will be managed carefully. This area was dealt with in some detail in the pre-opening training for governors. We maintain a register of interests for members and governors that is updated annually. Each governor is required to sign a declaration of interest relating to themselves and close family members when appointed and annually thereafter. In completing this declaration, and to avoid any misunderstanding that might arise, all governors (and staff with financial or spending powers) will be required to declare any financial, personal or family interests they have in companies or individuals from which the school may purchase goods or services.

A code of conduct for governors was agreed during the first year of the school's operation and has been adopted for the second year. We will have a standing item on all meeting agendas that will require governors to declare any potential conflict of interest at the beginning of a meeting. Where there is any potential personal interest in a decision to be made by the governing body, that person will not be part of the decision making process. We will also establish procedures for managing any situations where a potential conflict of interest may damage the reputation of the school.

### **Securing independent challenge**

The governing body brings a wide range of skills and experience to the school. Governors are committed to the aspirations and vision for the school and will make a significant time commitment to ensuring it is set up and managed effectively and efficiently. This inevitably means that governors provide considerable challenge to the staff of the school to ensure that they hold them accountable for the school's performance and for pupils' attainment and progress.

In addition, the governing body has appointed accountants to report to its finance and human resources committee, and to the full governing body if necessary on the school's financial management. The accountants will provide independent monitoring of the finances of the school and prepare the company accounts so the governing body can be sure that it is compliant with the law and that the accounting processes used conform to best practice. We will ensure that the persons undertaking this work will have appropriate qualifications and expertise in financial monitoring to be able to carry out the role securely.

The accountants will also scrutinise our procurement processes, particularly in respect of potential conflicts of interest. We expect them to report to the finance and human resources committee and, at times, the full governing body on financial and other decisions made, and to identify where they have any concerns about the process.

The work of the accountants is complemented by that of a trustee who is charged with ensuring that the school operates according the latest guidance, financial regulations and good governance practice in procurement and spending.

We expect the Headteacher, in conjunction with the governing body, to appoint an external school improvement partner (SIP) with the expertise to analyse the school's performance data and support the school's evaluation of teaching and learning. We expect the SIP to provide challenge to the Headteacher and, through the headteacher, to other members of the senior leadership team, particularly where performance needs strengthening. The SIP's reports will be made available to the governing body.

Additionally, the governing body will appoint an external adviser (who may or may not also be the SIP) to support their management of the performance of the Headteacher. Bringing experience of this field, the adviser will work with a small committee of governors to ensure the process is sufficiently robust and matches the national expectations of such a process. The adviser will support the governors in setting appropriate personal targets for the Headteacher so that they are challenging but achievable.

### 4 Governors' responsibilities as trustees and directors

The Akaal Academy Trust Derby is a company registered at Companies House. This means that trustees are also directors of a company and that directors' duties under company law also govern any decisions that you make as a trustee.

The seven general duties are:

1. to act within the powers as a director
2. to promote the success of the company
3. to exercise independent judgment
4. to exercise reasonable care, skill and diligence
5. to avoid conflicts of interest
6. not to accept benefits from third parties
7. to declare any interested in proposed transactions or arrangements.

These seven duties are explained further in the next paragraphs, with the text addressed directly to directors / trustees / governors.

#### **Duty one: to act within powers**

You must act in accordance with the documents that govern the company and must only exercise your powers for their proper purpose. You must comply with the Trust's articles of association and any decisions that the members make as decisions of the company. Exercising powers for a 'proper purpose' would generally be assessed by looking at the motivation of the director(s).

#### **Duty two: to promote the success of the company**

You must act in the way you consider, in good faith, would be most likely to promote the success of the company for the benefit of its members as a whole. This duty applies both to the board of directors as a whole and to each individual director. When making decisions, you should, therefore, consider:

- the likely long-term consequences of any decision
- the interests of the company's employees
- the need to encourage good business relationships with the company's suppliers, customers and others
- the impact of the company's operations on the community and the environment
- the desire of the companies to maintain a reputation for high standards of business conduct
- the need to act fairly in respect of all members of the company.

#### **Duty three: to exercise independent judgement**

Each director should exercise their powers independently and should ensure that their decisions are not influenced by others. This duty impacts on a director's ability to delegate their powers. Before delegating duties and powers, you should make sure that you do so within the Trust's articles of association.

### **Duty four: to exercise reasonable care, skill and diligence**

A director should exercise the care, skill and diligence which would be exercised by a reasonably diligent person with both:

- the general knowledge, skill and experience that may reasonably be expected of a person carrying out the functions that the director does
- the general knowledge, skill and experience that the director actually has.

You should ensure that you have taken on a role that you are comfortable in fulfilling. As a minimum standard, all directors should feel comfortable about the first point, and a director with a specialist role or specialist knowledge should feel comfortable about the second point.

### **Duty five: to avoid conflicts of interest**

You should avoid situations in which you have (or might have) an interest that conflicts with the Trust's interests, for example, where a director owns or runs a company that provides services to the Trust. Practical steps that can be taken to avoid breaching this duty should include:

- declaring any interest that might conflict with the companies' interests at the earliest opportunity
- any director that has a conflict of interest should not be counted towards the quorum for a board meeting in which the matter is to be discussed
- any director that has a conflict of interest should not vote on any related matter.

### **Duty six: not to accept benefits from third parties**

Directors are under a duty not to exploit the position of director for personal benefit. You should not, therefore, accept a benefit from a third party that is conferred on you because they are a director of the Trust or in return for taking or not taking any particular action as a director.

### **Duty seven: to declare interest(s) in proposed transactions or arrangements with the companies**

Where you have a conflict of interest in a proposed transaction (see also 'Duty Five'), you are under a duty to declare the nature and extent of that conflict to the other directors. The declaration must be made before the Trust enters into the transaction. This can include an indirect conflict of interests so you would need to also consider making a disclosure if, for example, a partner or family member were the director of a company with which the Trust were considering dealing with.

### **Duties as a trustee of a charity**

Academy trusts are exempt charities, which means that they are treated as charities but do not need to be registered with the Charities Commission. As an exempt charitable company, you will be accountable to the Department for Education as a trustee.

A conflict of interest for charitable purposes is any situation in which your personal interests, or interests that you owe to another body, may (or may appear to) influence or affect your decision making as a trustee. The law states that you cannot receive any benefit from your charity in return for any service you provide to the charity, unless you have express authority to do so.

### The seven principles of public life

All Trustees must be aware of the seven principles of public life as set out in the Committee on Standards in Public Life (the Nolan Committee), which was established for the benefit of all who serve the public in any way.

#### **Selflessness**

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.

#### **Integrity**

Holders of public office should not place themselves under any financial or other obligations to outside individuals or organisations that might influence them in the performance of their official duties.

#### **Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

#### **Accountability**

Holders of public office are accountable for their decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

#### **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

#### **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

#### **Leadership**

Holders of public office should promote and support these principles by leadership and example.

## 5 Terms of reference for committees

### A: Terms of Reference – Finance and Human Resources Committee

#### Introduction

1. The Finance and Human Resources Committee is a committee of the Trust established under paragraph 105 of the Articles of Association adopted in January 2015.

#### Purpose of the Committee

2. The purpose of the Finance and Human Resources Committee is to advise the Trustees on:
  - a. the financial health and solvency of the Trust;
  - b. the financial implications of new initiatives and ventures;
  - c. to advise on the financial implications of the Trust's capital planning and development opportunities;
  - d. on strategies and employment policy for all staff
  - e. procedures for staff selection, appointment, training and performance management
  - f. pay policies and procedures relating to the employment, retention and welfare of staff.

#### Membership and Operation

3. The Committee shall consist of a minimum of three Trustees appointed by the Trust. The Trust may appoint additional Trustees to increase the size of the Committee's membership. Membership of the Committee may also include additional persons who are not Trustees to add to the skills and expertise available. Such additional members (i.e. non-Trustees) will not be entitled to vote.
4. The quorum shall be two Trustees appointed by the Trust. The quorum is the minimum number of members of the Committee necessary to conduct the business of the Committee.
5. The Committee will appoint a minuting secretary for each of its meetings, who may be a trustee, member of school staff or the Clerk to the Trust.
6. The Chair will be appointed by the full Trust.
7. The Committee may appoint a Vice/Deputy Chair if it so wishes.
8. In the event of the Chair or Vice/Deputy Chair (if one exists) of the Committee being unable to attend, the remaining members shall elect one of their members as Chair for the meeting.
9. The Chair shall have the power to invite other individuals to attend any meeting if deemed appropriate to the business. Lead members of the Senior Leadership Team whose area of responsibility includes matters relative to the Detailed Responsibilities of the Committee listed below shall be expected to attend meetings of the Committee.

10. The Committee is entitled, wherever it is satisfied that it is appropriate to do so, to go into confidential session and (subject to the rules of quoracy) to exclude any, or all, participants and observers, except the Clerk to the Trustees.
11. The Committee shall undertake an annual review of these terms of reference, and recommend to the Trust for approval any changes needed.

### **Detailed Responsibilities**

12. Subject to the detailed requirements of the Trust's Finance Manual, the Committee shall consider and advise the Trustees on the following specific matters:

#### ***Finance***

- a. the annual estimates of income and expenditure, other budgets and the financial forecasts for the Federation
- b. the procedure for expenditure on capital items, and to review the list of spending priorities
- c. the Trust's financial ability to implement pay progression for staff
- d. the management accounts of the Federation and its academies, and to also advise the Trust on the year-end accounts of the same
- e. the financial elements of risk management in the Federation, including staff and insurances
- f. any relevant taxation issues
- g. investments and borrowings, including treasury management policies
- h. the management and authorisation of purchases in line with The Trust's Purchasing Policy
- i. the content of the Finance Manual and a review of the same when appropriate
- j. the maintenance and improvement or repair to the buildings, grounds and plant
- k. expenditure and control of maintenance and improvement to the respective academy premises
- l. to draw up a Charging & Remissions Policy
- m. supervision of the Internal Audit function of the Trust, including the requirement to provide Internal Audit updates at each Meeting, and an Annual Report

#### ***Procurement***

- n. the management of procurement processes and projects in line with the Trust's Procurement Policy

#### ***ICT***

- p. the development, deployment and support of ICT services to underpin teaching, learning, research and administration systems

#### ***Human resources***

- a. advising the Trust on key staffing policies in relation to application, selection, pay, terms and conditions of service for staff
- b. recommendations to The Trust on the appointment of the Executive Headteacher / Headteacher / Head of School (as appropriate at the time)
- c. reviewing the staffing structure in consultation with the Executive Headteacher / Headteacher / Head of School (as appropriate at the time)
- d. overseeing the process leading to any potential staff increases or reductions
- e. setting targets and monitoring the staff absence

### Meetings

13. Committee meetings will be held on an as required basis but at least once a term.
14. The minuting secretary will make a record of all proceedings at each meeting. Minutes will be circulated to members within 14 days of the meeting, and presented with the agenda for the next meeting of the full Trust. Papers shall be available not less than five days before a meeting of the Committee.
15. The minutes of Committee meetings shall be subject to public disclosure under the Freedom of Information Act 2000. Where requests are made, the Clerk shall, with legal advice where necessary, release such information as is not subject to exemption under the terms of the Act.
16. The committee will liaise with such other committees and invite members of other committees to attend its meeting as should be deemed appropriate.
17. Any matters which may be in conflict with the work of another committee must be referred to the Trustees
18. The Committee is also tasked with the following matters of detail:
  - a. approving the signing of facilities and development contracts and agreements on behalf of the Trust where required in accordance with the Trust's Finance Manual or under the guidance or instruction of the Education Funding Agency or any successor body
  - b. advising the Trust on expenses allowances payable to Trustees
  - c. approving financial policies in relation to capitalisation, depreciation, treasury management, investment and borrowings
  - d. making recommendations to the Trust on the strategic risk areas remitted by the Trust to the Committee

### Delegated Functions

19. Subject to the detailed requirements of the Trust's Scheme of Delegated Authority, the Committee:
  - (a) has the authority of the Trust to investigate any activity within its Terms of Reference; and
  - (b) may be requested to investigate anything by the Trust within the Committee's Terms of Reference.
20. The Committee may obtain independent professional advice in accordance with the Trust's procedures.

## Terms of Reference – Education and Standards Committee

### Introduction

1. The Education & Standards Committee is a committee of the Trust established under the paragraph 105 of the Articles of Association of September 2010.

### Purpose of the Committee

2. The purpose of the Education and Standards Committee is to advise the Trustees on:
  - a) To review and evaluate teaching and learning; pupil achievement and standards.
  - b) To keep under review the curriculum for the school and to make recommendations to the Trustees where necessary to ensure that the requirements of the National Curriculum are met.
  - c) To monitor the provision and outcomes for pupils with special educational needs and disabilities (SEND), those who speak English as an additional language, and those supported through the Early Years Premium, Pupil Premium and other additional funding designed to combat disadvantage.
  - d) To consider and recommend the draft School Improvement Plan to the Trustees for approval.
  - e) To keep under review the school's self-evaluation process, and ensure that a summary record of the school self-evaluation is maintained.
  - f) To maintain and review the Health & Relationships policy, including recommendations where necessary about content and delivery.
  - g) To consider and make recommendations to the Trust on the adoption of policies on specific subjects or aspects of the curriculum (for example R.E.).
  - h) To determine such targets as the school is required to set (where the Trust has chosen to delegate this responsibility to the committee).
  - i) To receive reports on the monitoring of the performance of pupils and to submit reports and recommendations to the Trust as necessary.
  - j) To carry out the Trust's responsibilities for the provision of assessment and other curriculum-related statistics and information.
  - k) To ensure that the school's curriculum is compatible with the principles of equal opportunity.
  - l) To deal with any other curriculum matters as may be referred by the Trust.

### **Membership and Operation**

3. The Committee shall consist of a minimum of three Trustees appointed by the Trust. The Trust may appoint additional Trustees to increase the size of the Committee's membership. Membership of the Committee may also include additional persons who are not Trustees to add to the skills and expertise available. Such additional members (i.e. non-Trustees) will not be entitled to vote.
4. The quorum shall be two Trustees appointed by the Trust. The quorum is the minimum number of members of the Committee necessary to conduct the business of the Committee.
5. The Committee will appoint a minuting secretary for each of its meetings, who may be a trustee, member of school staff or the Clerk to the Trust.
6. The Chair will be appointed by the full Trust.
7. The Committee may appoint a Vice/Deputy Chair if it so wishes.
8. In the event of the Chair or Vice/Deputy Chair (if one exists) of the Committee being unable to attend, the remaining members shall elect one of their members as Chair for the meeting.
9. The Chair shall have the power to invite other individuals to attend any meeting if deemed appropriate to the business. Lead members of the Senior Leadership Team whose area of responsibility include matters relative to the Detailed Responsibilities of the Committee listed below, shall be expected to attend meetings of the Committee.
10. The Committee is entitled, wherever it is satisfied that it is appropriate to do so, to go into confidential session and (subject to the rules of quoracy) to exclude any, or all, participants and observers, except the Minutes Secretary.
11. The Committee shall undertake an annual review of these terms of reference, and recommend any changes needed to the Trust for approval.

### **Detailed Responsibilities**

12. The Committee is also tasked with the following matters of detail:
  - a. To set and publish targets for pupil achievement.
  - b. Where necessary, to draft an Academy Action Plan following Ofsted inspection and ensure copies are distributed to parents.
  - c. To monitor the recording of incidents which are in breach of the Equality Act 2010, to make recommendations to the Trust and to submit a report each year on such incidents to the autumn term meeting of the Trust.
  - d. To monitor and review the curriculum to ensure that all statutory requirements are met, including:
    - 1) The promotion of healthy lifestyles such as healthy eating, consumption of water and appropriate education and information on health-related issues.

- 2) To prohibit political indoctrination and ensure the balanced treatment of political issues.
  - 3) To ensure that as far as possible school is a place of positive experience and enjoyment for pupils.
  - 4) To ensure that regard is paid to pupils' spiritual, moral, social, emotional and cultural development.
  - 5) To ensure a provision of RE in line with the school's religious character.
  - 6) To ensure that the school provides a daily act of collective worship.
- e. To consider curriculum issues which have implications for finance and human resource decisions and to make recommendations to the relevant committees or the Trust.

### **Meetings**

13. Committee meetings will be held on an as required basis but at least once a term.
14. The minuting secretary will make a record of all proceedings at each meeting. Minutes will be circulated to members within 14 days of the meeting, and presented with the agenda for the next meeting of the full Trust. Papers shall be available not less than five days before a meeting of the Committee.
15. The minutes of Committee meetings shall be subject to public disclosure under the Freedom of Information Act 2000. Where requests are made, the Clerk shall, with legal advice where necessary, release such information as is not subject to exemption under the terms of the Act.
16. The committee will liaise with such other committees and invite members of other committees to attend its meeting as should be deemed appropriate.
17. Any matters which may be in conflict with the work of another committee must be referred to the Trustees.

### **Delegated Functions**

18. Subject to the detailed requirements of the Scheme of Delegated Authority, the Committee:
  - (a) has the authority of the Trust to investigate any activity within its Terms of Reference; and
  - (b) may be requested to investigate anything by the Trust within the Committee's Terms of Reference.
19. The Committee may obtain independent professional advice in accordance with the Trust's procedures.

### **C: Terms of Reference – Safeguarding, Pupil Welfare and Premises Committee**

#### **Introduction**

1. The Safeguarding, Pupil Welfare and Premises Committee is a committee of the Trust established under the paragraph 105 of the Articles of Association of September 2010.

#### **Purpose of the Committee**

2. The purpose of the Safeguarding, Pupil Welfare and Premises Committee is to advise the Trustees on:
  - a) To review and evaluate the impact of school policies on pupils' behaviour, welfare and attendance, and the ethos of the school.
  - b) To receive reports on the monitoring of the attendance and behaviour of pupils and to submit reports and recommendations to the Trust as necessary.
  - c) To consider any safeguarding issues and make recommendations for areas to be included in this area in the School Improvement Plan.
  - d) To maintain and review the school's safeguarding policy and procedures
  - e) To consider and make recommendations to the Trust on the adoption of policies on specific subjects or aspects of safeguarding or pupil welfare.
  - f) To agree such targets as the school determines for attendance and pupil welfare
  - g) To deal with any other pastoral or other relevant matters as may be referred by the Trust.
  - h) To ensure that the building and premises is compliant with health and safety regulations.

#### **Membership and Operation**

3. The Committee shall consist of a minimum of three Trustees appointed by the Trust. The Trust may appoint additional Trustees to increase the size of the Committee's membership. Membership of the Committee may also include additional persons who are not Trustees to add to the skills and expertise available. Such additional members (i.e. non-Trustees) will not be entitled to vote.
4. The quorum shall be two Trustees appointed by the Trust. The quorum is the minimum number of members of the Committee necessary to conduct the business of the Committee.
5. The Committee will appoint a minuting secretary for each of its meetings, who may be a trustee, member of school staff or the Clerk to the Trust.
6. The Chair will be appointed by the committee at its first meeting after the Strategic Planning Meeting.
7. The Committee may appoint a Vice Chair if it so wishes.

8. In the event of the Chair or Vice Chair (if one exists) of the Committee being unable to attend, the remaining members shall elect one of their members as Chair for the meeting.
9. The Chair shall have the power to invite other individuals to attend any meeting if deemed appropriate to the business. Lead members of the Senior Leadership Team whose area of responsibility include matters relative to the Detailed Responsibilities of the Committee listed below, shall be expected to attend meetings of the Committee.
10. The Committee is entitled, wherever it is satisfied that it is appropriate to do so, to go into confidential session and (subject to the rules of quoracy) to exclude any, or all, participants and observers, except the Minutes Secretary.
11. The Committee shall undertake an annual review of these terms of reference, and recommend any changes needed to the Trust for approval.

### **Detailed Responsibilities**

12. The Committee is also tasked with the following matters of detail:

#### ***Safeguarding and welfare***

- a. To set and publish targets for pupil attendance.
- b. To monitor the recording of racist incidents, to make recommendations to the Trust and to submit a report each year on such incidents to the autumn term meeting of the Trust.
- c. To ensure the promotion of healthy lifestyles including healthy eating and information on health-related issues.
- d. To ensure that there are effective and enforceable policies on child protection, bullying and equality issues and that all pupils have confidence that these issues will be dealt with in an appropriate manner.
- e. To ensure that as far as possible school is a place of positive experience and enjoyment for pupils.
- f. To ensure that regard is paid to pupils' spiritual, moral, social, emotional and cultural development.
- g. To ensure that pupils develop their understanding of their rights and responsibilities and have appropriate opportunities to make a positive contribution to the local community.
- h. To consider safeguarding and welfare issues which have implications for finance and human resource decisions and to make recommendations to the relevant committees or the Trust.
- i. Monitor and review welfare-related policies.

### ***Facilities***

- j. Ensure compliance with the minimum standards relating to Health and Safety Regulations.
- k. Monitor that the appointment of architects, builders, ground maintenance teams, surveyors etc. is done in accordance with the established procedures.
- l. Support the improvement and requirements for the smooth running of the school, in relation to the premises.

### **Meetings**

- 13. Committee meetings will be held on an as required basis but at least once a term.
- 14. The minuting secretary will make a record of all proceedings at each meeting. Minutes will be circulated to members within 14 days of the meeting, and presented with the agenda for the next meeting of the full Trust. Papers shall be available not less than five days before a meeting of the Committee meeting.
- 15. The minutes of Committee meetings shall be subject to public disclosure under the Freedom of Information Act 2000. Where requests are made, the Clerk shall, with legal advice where necessary, release such information as is not subject to exemption under the terms of the Act.
- 16. The committee will liaise with such other committees and invite members of other committees to attend its meeting as should be deemed appropriate.
- 17. Any matters which may be in conflict with the work of another committee must be referred to the Trustees.

### **Delegated Functions**

- 18. Subject to the detailed requirements of the Academy Trust's Scheme of Delegation, the Committee:
  - a) has the authority of the Trust to investigate any activity within its Terms of Reference; and
  - b) may be requested to investigate anything by the Trust within the Committee's Terms of Reference.
- 19. The Committee may obtain independent professional advice in accordance with the Trust's procedures.

## 6 Code of conduct for governors

### A code of conduct for the governing body of Akaal Primary School

#### Introduction

The following is not a definitive statement of responsibilities but is concerned with the common understanding of broad principles by which the governing body and individual governors will operate.

#### The governing body has the following strategic functions:

Establishing the strategic direction, by:

- setting and ensuring clarity of vision, values, and objectives for the school and trust
- agreeing the school improvement strategy with priorities and targets
- meeting statutory duties.

Ensuring accountability, by:

- appointing the headteacher
- monitoring the educational performance of the school and progress towards agreed targets
- performance managing the headteacher
- engaging with stakeholders
- contributing to school self-evaluation.

Overseeing financial performance and probity by:

- setting a balanced budget
- monitoring spending against the budget
- ensuring money is well spent and value for money is obtained
- ensuring risks to the organisation are managed.

#### Information about governors

The following information about each governor / associate member will be published on the school's website:

- name
- category of governor and how they are appointed
- term of office
- the names of any committees the governor serves on
- details of any positions of responsibility such as chair or vice-chair of the governing body or a committee.

Governing bodies are under a duty to publish on their website their register of interests. The register should set out the relevant business interests of governors and details of any other educational establishments they govern. The register should also set out any relationships between governors and members of the school staff including spouses, partners and relatives.

[\(Statutory guidance for governing bodies of maintained schools and local authorities in England – March 2015\)](#)

### As individuals on the governing body we agree to the following:

#### Role & responsibilities

- We understand the purpose of the body and the role of the school's leaders.
- We have responsibility for determining, monitoring and keeping under review the broad policies, plans and procedures within which the school operates.
- We accept that all governors have equal status and, although appointed by different groups (ie parents, staff) our overriding concern will be the welfare of the school as a whole.
- We accept that we have no legal authority to act individually, except when the body has given us delegated authority to do so, and therefore we will only speak on behalf of the governing body when we have been specifically authorised to do so.
- We accept collective responsibility for all decisions made by the body or its delegated agents. This means that we will not speak against majority decisions outside the governing body meeting.
- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.
- We will encourage open governance and will act appropriately.
- We will consider carefully how our decisions may affect the community and other schools.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school. Our actions within the school and the local community will reflect this.
- In making or responding to criticism or complaints we will follow the procedures established by the governing body.
- We will actively support and challenge the school's leaders.
- We will accept and respect the difference in roles between the governing body and staff, ensuring that we work collectively for the benefit of the organisation.
- We will respect the role of the school's leaders and their responsibility for the day to day management of the organisation and avoid any actions that might undermine such arrangements.

- We agree to adhere to the school's rules and policies and the procedures of the governing body as set out by the relevant governing documents and law.
- When formally speaking or writing in our governing role we will ensure our comments reflect current organisational policy even if they might be different to our personal views.
- When communicating in our private capacity (including on social media) we will be mindful of and strive to uphold the reputation of the organisation.

### Commitment

- We acknowledge that accepting office as a governor/trustee involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the governing body, and accept our fair share of responsibilities, including service on committees or working groups.
- We will make full efforts to attend all meetings and where we cannot attend explain in advance why we are unable to.
- We will get to know the schools well and respond to opportunities to involve ourselves in school activities.
- We will visit the school, with all visits arranged in advance with the headteacher and undertaken within the framework established by the governing body.
- When visiting the school in a personal capacity (ie as a parent or carer), we will maintain our underlying responsibility as a governor/trustee.
- We will consider seriously our individual and collective needs for induction, training and development, and will undertake relevant training.
- We accept that in the interests of open governance, our full names, date of appointment, terms of office, roles on the governing body, attendance records, relevant business and pecuniary interests, category of governor and the body responsible for appointing us will be published on the school's website.
- In the interests of transparency we accept that information relating to governors/trustees/academy committee members will be collected and logged on the DfE's national database of governors (*Get information about schools*).

### Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously and respectfully in all our communications with other governors/trustees, the clerk to the governing body and school staff, both in and outside of meetings.
- We will support the chair in their role of ensuring appropriate conduct both at meetings and at all times.

- We are prepared to answer queries from other governors in relation to delegated functions and take into account any concerns expressed, and we will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- We will seek to develop effective working relationships with the school's leaders, staff and parents, the trust, the local authority and other relevant agencies and the community.

### Confidentiality

- We will observe confidentiality regarding proceedings of the governing body, in meetings and from our visits to the school as governors.
- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school.
- We will exercise the greatest prudence at all times when discussions regarding school/trust business arise outside a meeting of the governing body.
- We will not reveal the details of any governing body vote.
- We will ensure all confidential papers are held and disposed of appropriately.

### Communications with parents, pupils, staff and volunteers and members of the local community regarding any concerns expressed about the School

- If a parent, pupil, member of staff or volunteer, or member of the local community speaks to a governor and expresses any form of concern about the school in that communication then the following steps must be followed:
  1. the person(s) expressing the concern must be asked if they have spoken to the Headteacher about their concerns
  2. if the person(s) has not spoken to the Headteacher about their concerns then they must be encouraged to do so
  3. it must be made clear to the person(s) that governor with whom they are communicating will not look into or investigate their concerns, but that they must raise their concerns directly with the Headteacher themselves or the Chair of the Governing Body if the concern is about the Headteacher.
  4. the impression must not be given that the governor with whom the concern is raised either agrees with or shares the concerns expressed.
- Any concerns raised with a governor must be privately conveyed to the Headteacher at the earliest opportunity (or to the Chair of the Governing Body if the concern is about the Headteacher). It will not be assumed that the governor conveying this information to the Head Teacher is supporting the person who has expressed the concern initially.
- The above points set out do not affect the rights of governors as set out in the Protection for 'whistleblowers' in the UK as provided under the Public Interest Disclosure Act 1998 (PIDA) or under the school's Whistleblowing Policy, or the responsibilities of governors as set out in relevant Safeguarding legislation.

### Conflicts of interest

- We will record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the governing body's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting we will offer to leave the meeting for the appropriate length of time.
- We accept that the Register of Business Interests will be published on the school/trust's website.
- We will also declare any conflict of loyalty at the start of any meeting should the situation arise.
- We will act in the best interests of the school as a whole and not as a representative of any group, even if elected to the governing body.

### Conduct

- We will encourage the open expression of views at meetings, but accept collective responsibility for all decisions made by the governing body or its delegated agents.
- We will only speak or act on behalf of the governing body when we have been specifically authorised to do so.
- In making or responding to criticism or complaints affecting the school we will follow the procedures established by the governing body.
- Our visits to school will be undertaken within the framework established by the governing body, in agreement with the Headteacher and staff.
- In discharging our duties we will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school.

### Ceasing to be a governor/trustee

- We understand that the requirements relating to confidentiality will continue to apply after a governor/trustee leaves office.

### Breaches of this code of conduct

- If we believe this code has been breached, we will raise this issue with the chair and the chair will investigate; the governing body will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
- Should it be the chair that we believe has breached this code, another governing body member, such as the vice chair will investigate.
- If the need arise to use the sanction of suspending a governor, the governing body will do so by following the procedures set out in the articles of association so as to ensure a fair and objective process.

- We recognise that removing a governor from office is a last resort, and that it is the appointing bodies which have the power to remove those they appoint. If the need arises to use the sanction of removing a governor, the members of the Akaal Academy Trust Derby will do so by following the Trust's articles of association so as to ensure a fair and objective process.

### The Seven Principles of Public Life

*(Originally published by the Nolan Committee: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations.)*

**Selflessness** - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**Integrity** - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**Objectivity** - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability** - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness** - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**Honesty** - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership** - Holders of public office should promote and support these principles by leadership and example.

**Undertaking:**

As a member of the governing body I will always have the well-being of the children and the reputation of the school at heart. I will do all I can to be an ambassador for the school, publicly supporting its aims, values and ethos. I will never say or do anything publicly that would embarrass the school, the governing body, the Headteacher or staff.

I understand that I must declare business interests and this information will be published on the school’s website along with my name, details of my term of office and responsibilities as a governor. Failure to reveal information may be judged as bringing the governing body into dispute and could lead to my role as a governor being suspended.

Signed: .....

Printed name: .....

Date: .....