



Diocese of Chelmsford Vine Schools Trust

# Scheme of Delegation

*made between*

The Diocese of Chelmsford

Vine Schools Trust

*and*

Local Board of

with Church of England Primary Schools

# Our Vision and Values

**Outward Facing**  
*valuing the wider community*

**Excellent Education**  
*providing the highest academic standards*



**Vine**

Diocese of Chelmsford Vine Schools Trust

**Building Christian Character**

*Spiritual, intellectual, physical,*

## Delegation

Delegation is between the Diocese of Chelmsford Vine Schools Trust (Trust) and the Local Board (LB) of Bulphan Church and St. Margaret's Church of England Primary Academy, academies within the Trust, in accordance with the Constitution. The Scheme of Delegation is referred to as "the Scheme".

Requirements of the Trust set out in this Scheme the Trust delegates to the LB its responsibility and powers as the Governor. The LB shall be discharged by the LB in accordance with its Constitution and Terms of Reference, the Policies of the Trust and from time to time by the Department for Education and OFSTED.

and powers delegated to the LB may be further delegated to a Committee or to the Headteacher of the Academy. However, although decisions may be delegated, the LB together with the Trust as a whole remains responsible for any decisions.

Policy referred to in this Scheme of Delegation means the current policy by that title as published at [www.vineschoolstrust.org](http://www.vineschoolstrust.org)

The LB agree to:

- undertake such training as is reasonably required by the Trust in order to update and improve the knowledge and skills available to the LB in its role in respect of the Academy and as part of the Academy Trust operated by the Trust;
- provide the information required by the Trust in the form indicated in this Scheme and not to withhold any information which the Trust lawfully requires;
- retain decisions to the Trust for approval as set out in this Scheme, and not to act, or to omit any act, in reliance on such decisions without obtaining such approval;
- invite and invite local governors to attend meetings of a Leadership Board made up of Trust Directors, the Senior Leadership Team, Trust Governors and Academy Improvement Advisors, and to assist the Senior Leadership Team in the implementation of the Academy Trust's Improvement Plan in accordance with decisions made by that Leadership Board.

## Composition of a Regional Board (LB)

	Number	Term	Appointment Process
Chair	4	4 years	By Vine Trust Board - the Board will take into account any representations from the Local Governing Body. If Trust Appointments are parents then additional parents (below) do not need to be appointed. At least one of these appointments will be an Incumbent / Principal Officer appointed with the recommendation of the Archdeacon and reference to the Diocesan and Ministry Unit.
Member	1	N/A	Ex-officio
	1	N/A	Appointed by Vine Trust Board
	2	4 years	Appointed from the parent body of all member academies.
	From above	2 years	Appointed by the Vine Trust Board
	From above	1 year	Election within the Regional Board

Members may also attend Local Board meetings as full members.

Level 1: Vine Trust Board (VTB)

Level 2: Vine Trust Board, in consultation with Local Board

Level 3: CEO of the Trust

Level 4: Local Board

Level 5: Chair of Local Board (CoLB) in consultation with Trust CEO

Level 6: Lead Headteacher [*Executive Headteacher / Headteacher in the absence of a Lead HT*] (in consultation with CEO, or CoLB where appropriate)

Level 7: Executive Headteacher / Headteacher / Head of School

**Although decisions may be delegated to the Local Board or Lead Headteacher, the Trust Board as a whole remains responsible for all decisions. Decisions may be delegated to the Local Board or Lead Headteacher if appropriate**

Key function	Ref	Tasks	1	2	3	4	5	6	7	
Academy Improvement	0.1	Appoint an academy improvement consultant			✓					Frequency of visits will be dependent on the Academy Improvement Policy
	0.2	Develop and monitor an academy improvement plan				✓			✓	With AIL and AIC and with regard to the Academy Improvement Policy
	0.3	Ensuring the academy provides at least a 'good' level of education to all pupils.							✓	
	0.4	Ensuring at least 'good' academic progress and standards.							✓	

Key function	Ref	Tasks	1	2	3	4	5	6	7	
1. Budget	1.1	To recommend the first formal budget plan in each financial year to the VTB				✓				LB to send final formal budget to the VTB
	1.2	To approve the first formal budget plan in each financial year and prepare the annual Budget Forecast Return	✓		✓					CEO to sign and submit to the EF/VTB
	1.3	To approve interim/revised budget plans				✓				Notify the VTB through the CEO
	1.4	To monitor monthly income and expenditure against budget plans				✓			✓	In conjunction with COO
	1.5	To establish a charging and remissions policy				✓				Use model VTB policy. Report to the VTB
	1.6	To enter into contracts	✓			✓				As per Finance Manual and Trust Policy
	1.7	To make payments				✓				As per Finance Manual and Trust Policy
	1.8	Miscellaneous financial decisions				✓				As per Finance Manual and Trust Policy
	1.9	Capital Programmes	✓			✓				LB in consultation with the Diocese
	1.10	Income generation				✓				Income generated belongs to the Trust
	1.11	Investments	✓							Where appropriate the VTB will be consulted



	2.32	Staffing adjustment decisions following consultation – central staff				✓					Consult with the VTB as necessary
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Key function	Ref	Tasks	1	2	3	4	5	6	7	
3. Curriculum	3.1	Ensuring national curriculum taught to all students and to consider any disapplication	✓			✓			✓	Curriculum review annually to LB
	3.2	Establish a curriculum policy and curriculum policies				✓			✓	
	3.3	Implement curriculum policy and curriculum policies							✓	
	3.4	Monitor implementation of curriculum policy and curriculum policies				✓				
	3.5	Implement action to maintain teaching standards							✓	
	3.6	Monitor action to maintain teaching standards				✓				
	3.7	Determination of which subject options are to be taught, given the available resources							✓	Headteacher in conjunction with
	3.8	Responsibility for each child's education							✓	
	3.9	Determine sex education policy for each school	✓			✓			✓	Headteacher and LB within guide
	3.10	Monitor implementation of sex education policy				✓				
	3.11	To monitor for any political indoctrination				✓			✓	

Key function	Ref	Tasks	1	2	3	4	5	6	7	
4. Performance Management (Appraisal)	4.1	Determine a performance management policy	✓							
	4.2	Implement performance management policy			✓	✓			✓	
	4.3	Annual review of performance management policy		✓						Annual report to VTB on PM from
	4.4	Performance management of Headteacher	✓		✓					CEO with LB representative (May
	4.5	Performance management of Lead Headteacher	✓		✓					CEO with LB representative
	4.6	Performance management of all other school staff				✓			✓	
	4.7	Performance management of Vine Central staff	✓		✓					COO and CEO as appropriate
	4.8	Performance management of shared staff						✓	✓	Agreed locally with CEO / COO ac

Key function	Ref	Tasks	1	2	3	4	5	6	7	
5. Target Setting	5.1	To set and publish targets for student achievement							✓	Report to the LB who collate and

Key function	Ref	Tasks	1	2	3	4	5	6	7	Comment
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Key function	Ref	Tasks	1	2	3	4	5	6	7	
<b>12. Local Board Procedures</b>	12.1	Determine terms of reference and any amendments				✓				Within the Scheme of Delegation
	12.2	Appoint / remove CoLB	✓							
	12.3	Appoint / remove other LB members	✓							Following recommendations from
	12.4	Appoint / dismiss local clerk to LB				✓				
	12.5	Convene at least six LB meetings in any year				✓				CoLB
	12.6	Establish and maintain Trust register of business interests for LB				✓				Clerk to maintain and liaise with
	12.7	To approve and set up an Expenses Policy	✓							
	12.8	To monitor provision for disadvantaged pupils, including those receiving pupil premium and those on the SEND register				✓				Annual report to LB from HT
	12.9	To consider whether or not to exercise delegation of functions to individuals or committees				✓				
	12.10	To regulate the LB procedures (where not set out in law)	✓							
	12.11	Establish LB code of conduct	✓							
	12.12	Establish complaints policy	✓							
	12.13	Implement the complaints policy	✓			✓				
	12.14	Monitor implementation of complaints policy			✓	✓				
	12.15	Establish FOI request policy	✓							
	12.16	Implement FOI policy where relevant			✓	✓				✓
	12.17	Monitor implementation of FOI request policy	✓							

Key function	Ref	Tasks	1	2	3	4	5	6	7	
<b>13. Equalities Act</b>	13.1	Establish single Equality Act policy	✓							
	13.2	Implement single equality act policy (and objectives) at Trust level via equality action plan	✓		✓					
	13.3	Implement single equality act policy at school level via academy equality action plan				✓			✓	
	13.4	Monitor implementation of equality act policy at Trust and local level	✓			✓				

Key function	Ref	Tasks	1	2	3	4	5	6	7	
<b>14. Data Protection</b>	14.1	Establish data protection policy	✓							
	14.2	Implement data protection policy in each academy							✓	
	14.3	Monitor implementation of data protection policy in each				✓				



Key function	Ref	Tasks	1	2	3	4	5	6	7	
16.IT	108	Establish acceptable use policy	✓							Within Code of Conduct Policy
	109	Implement acceptable use policy			✓					
	110	Monitor implementation of acceptable use policy	✓							

Key function	Ref	Tasks	1	2	3	4	5	6	7	
17.Social media usage	111	Establish a social media policy for all Vine Academies	✓							
	112	Implement social media policy			✓			✓	✓	
	113	Monitor implementation of social media policy	✓			✓				

## **and Terms of Reference**

This Constitution (which in this document is referred to as the "**Constitution**") is made by the Diocese of Chelmsford Vine Schools Trust and registered in England and Wales under company number 8709542 (the "Trust") and sets out the terms upon which the Local Board of Education of England Academy ("the LB") is constituted and describes its terms of reference. This Constitution should be read in conjunction with the Scheme of Delegation made from time to time between the Trust and the LB.

### **DEFINITIONS AND INTERPRETATION**

"the Constitution":

has the meaning ascribed to it in clause 2.1;

"**Financial Handbook**" means the DfE's financial handbook for Academies in force from time to time;

"**Financial Year**" has the meaning ascribed to it in the Master Funding Agreement;

"the Articles" means the Articles of Association of the Trust;

"the Diocesan Board of Education" means the Diocesan Board of Education for the diocese within which the Academy is situated;

"the Directors" means the directors of the Trust;

"the Date" means the date given on the front page of this Constitution;

"the Benefice" means the incumbent of the benefice of [to be completed]

"the Local Board" means the Local Board of the Academies constituted by clause 4.4 of this Scheme and pursuant to Articles 100 - 104;

"the Master Funding Agreement" means the Master Funding Agreement entered into by the Trust and the Secretary of State on XX/XX/XX;

"the Headteacher" means the Headteacher or Executive Headteacher of the Academy;

"the Supplemental Funding Agreement" means the Supplemental Funding Agreement entered into by the Trust and the Secretary of State for the following schools: St. Mary's Church of England Primary School, St. Andrew's Church of England Primary School, St. Peter's Church of England Primary School, St. James' Church of England Primary School, St. Nicholas' Church of England Primary School, St. Martin's Church of England Primary School, St. Paul's Church of England Primary School, St. Vincent's Church of England Primary School, St. Mary's Church of England Primary School, St. Andrew's Church of England Primary School and St. Margaret's Church of England Primary School.

"the Secretary of State" means the Secretary of State for Education and his/her successors;

"the Articles" means as defined in the Articles.

Unless expressly provided in this Constitution, words and expressions not defined in this Scheme shall have the same meaning as they have in the Articles and the Relevant Funding Agreement entered into by the Trust.

References in this Constitution to clauses, paragraphs and annexes shall, unless otherwise stated, be to clauses, paragraphs and annexes of this Constitution.

In the event of conflict between any provision of this Constitution and the Articles, the Articles shall prevail.

**END**

ne; and

tions given or rules and regulations set by the Trust Directors.

n this Constitution to numbered Articles shall be to the relevant provision of the Articles.

## **MISSION STATEMENT**

ill implement and uphold the Ethos and Mission Statement of the Trust

## **ERS AND RESPONSIBILITIES**

:tors of the Trust have overall responsibility and ultimate decision making authority for all the work of the Trust. Th  
ough strategic planning and the setting of policy and is managed through business planning, monitoring of budgets  
etting of standards and the implementation of quality management processes. The Directors have the power to dir  
ed.

:tors of the Trust have a duty:

to comply with any lawful directions issued to the Trust;

to act in the fulfilment of the Trust's objects, Ethos and Mission Statement; and

to have regard to the advice of the DBE generally and in particular in respect of upholding the Trust's objects.

of the Trust will have regard to the interests of the other academies for which the Trust is responsible in deciding a  
g any policy or exercising any authority in respect of the Academy.

1 provides for the appointment by the Trust of committees to whom the Trust may delegate certain of the function  
further recognition of the Trust's power to delegate under Articles 102 and 105, and the responsibility for the runn  
m the Effective Date will be delegated to the committee established by this Constitution and in accordance with th  
ittee shall be known as the Local Board (LB) of the Academy.

stitution, membership and proceedings of the LB are determined by the Trust and this Constitution expresses such n  
ng any authority delegated to the LB by the Scheme in order to enable the LB to assist with the running of the Acad  
's mission.

## **TION OF THE LB**

; of the LB

The number of people who shall sit on the LB shall be not less than three but, unless otherwise determined by the  
bject to any maximum.

The LB shall have the following members:

5.1.2.1 A minimum of 4 members, appointed under clause 5.2.1;

5.1.2.2 1 not used

5.1.2.3 2 parent members appointed under clause 5.2.6.

The Trust may appoint a minimum of 4 persons to serve on the LB, including where appropriate the Archdeacon's representative (or another nominated person) and a nomination from the Parochial Church Council (PCC).

rs

The Trust will not appoint staff members.

ers

Subject to clause 5.2.7, the parent members of the LB shall be appointed by the Trust Board and he or she must be a parent of a registered pupil of the Academy at the time when he or she is appointed.

The Trust shall determine all matters relating to, an appointment of the parent members of the LB, including any question whether a person is a parent of a registered pupil of the Academy.

The arrangements made for the appointment of the parent members of the LB shall provide for every person who wishes to put themselves forward has the opportunity to do so. Where a vacancy for a parent member of the LB is required to be filled by appointment, the LB shall take such steps as are reasonably practical to secure that every person who is known to them to be a parent of a registered pupil of the Academy is informed of the vacancy and that it is required to be filled by appointment, informed of the opportunity to put themselves forward and given an opportunity to do so. All parents will be made aware of the appointment process at the earliest opportunity.

The number of parent members of the LB required shall be made up by persons appointed by the Trust if the number of persons who are parents of registered pupils is less than the number of vacancies.

In appointing a person to be a parent member of the LB pursuant to clause 5.2.7, the Trust shall appoint a person who is a parent of a registered pupil of the Academy; or where it is not reasonably practical to do so, a person who is the parent of a child of primary school age.

members of the LB

The Trust may appoint up to 4 persons to be "co-opted" to the LB. A person who shall be "co-opted" to the LB may serve on the LB without having been appointed or elected to serve on the LB. The Trust may not co-opt a person who is not a parent of a registered pupil of the Academy if thereby the number of persons employed at the Academy serving on the LB would exceed one third of the total number of persons serving on the LB (including the Lead Headteacher).

office

The term of office for any person serving on the LB shall be 4 years, save that this time limit shall not apply to:

- (i) A Lead Headteacher who shall be treated for all purposes as being an ex-officio member of the LB;
- (ii) persons who are "co-opted" to the LB, who shall serve for 1 year. Subject to remaining eligible to be a particular member on the LB, any person may be re-appointed or re-elected (including being "co-opted" again) to the LB.

on and removal

A person serving on the LB shall cease to hold office if he resigns his office by notice to the LB (but only if at least three months' notice is given and the notice is not withdrawn under clause 5.2.1 will remain in office when the notice of resignation is to take effect).

A person serving on the LB shall cease to hold office if he is removed by the person or persons who appointed him.

5.6.4.1 his estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or

5.6.4.2 he is the subject of a bankruptcy restrictions order or an interim order.

A person shall be disqualified from serving on the LB at any time when he is subject to a disqualification order or a taking under the Trust Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (or any statutory modification or re-enactment of that provision).

A person serving on the LB shall cease to hold office if he 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 modification or re-enactment of that provision).

A person shall be disqualified from serving on the LB if he has been removed from the office of charity trustee or trustee of a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement of the charity for which he was responsible or to which he was privy, or which he by his conduct contributed to.

A person shall be disqualified from serving on the LB at any time when he is:

5.6.8.1 included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or

5.6.8.2 disqualified from working with children in accordance with Section 35 of the Criminal Justice and Court Services Act 2003;

or

5.6.8.3 barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Children Act 2006).

A person shall be disqualified from serving on the LB if he is a person in respect of whom a direction has been made under section 127 of the Education Act 2002 or is subject to any prohibition or restriction which takes effect as if contained in such a direction.

A person shall be disqualified from serving on the LB where he has, at any time, been convicted of any criminal offence for which he has been sentenced to a term of imprisonment of not less than 12 months, and excluding any offence for which the 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 (or any statutory modification or re-enactment of that provision).

1 Any person appointed or elected to the LB shall submit to a Disclosure and Barring Service check at a level determined by the Trust in accordance with its policy. In the event that such check, or any other procedure, discloses any information which would lead the chairman or the Headteacher to believe that person shall be disqualified from serving on the LB. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State for Education. The determination of the Secretary of State shall be final.

2 Where, by virtue of this Scheme, a person becomes disqualified from serving on the LB; and he was, or was proposing to become, a member of the LB, he shall give written notice of becoming so disqualified to the Trust.

3 This clause 5.6 shall also apply to any member of any committee of the LB who is not a member of the LB.

## **GENERAL MATTERS**

All members of the LB shall comply with the obligations set out in the Scheme which deals with the day-to-day operation of, and delegation of powers to, the LB.

## **APPOINTMENT OF THE LB, CHAIRMAN, VICE-CHAIRMAN AND CLERK OF THE LB**

The chairman of each LB shall be appointed from among its members by the Trust.

The vice-chairman of each LB shall be appointed by the Trust having due regard to, but not being bound by, the views of the LB.

The members of the LB may, for each school year, at their first meeting in that year, elect a vice-chairman from among their members. If a person is elected or a vacancy occurs. Neither a person who is employed by the Trust (whether or not by the Academy) at the time of election already a Director of the Trust shall be eligible for election as vice-chairman.

In accordance with paragraph 7.5, the chairman or vice-chairman shall hold office as such until his successor has been appointed or elected in accordance with this clause 7.

The chairman or vice-chairman may at any time resign his office by giving notice in writing to the Trust. The chairman or vice-chairman shall hold office if:

1. he ceases to serve on the LB;

2. he is employed by the Trust whether or not at the Academy;

3. he is removed from office in accordance with this Scheme; or

4. in the case of the vice-chairman, he is appointed in accordance with this Scheme to fill a vacancy in the office of chairman.

7.6. In the event that, for any reason of any of the matters referred to in paragraph 7.5, a vacancy arises in the office of chairman, the Trust shall elect one of their number to fill that vacancy.

7.7. In the event that, for any reason of any of the matters referred to in this paragraph 7.5 a vacancy arises in the office of vice-chairman, the members of the LB shall at their next meeting elect one of their number to fill that vacancy.

7.8. If the chairman is absent from any meeting or there is at the time a vacancy in the office of the chairman, the vice-chairman shall act as chairman for the purposes of the meeting.

7.9. If, in the circumstances referred to in paragraph 7.8 the vice-chairman is also absent from the meeting or there is at the time a vacancy in the office of vice chairman, the members of the LB shall elect one of their number to act as a chairman for the purposes of the meeting. The person elected shall neither be a person who is employed by the Trust whether or not by the Academy nor a Director of the Trust.

7.10. Any election of the vice-chairman which is contested shall be held by secret ballot.

7.11. The chairman may be removed from office by the Trust at any time,

7.12. The vice-chairman may be removed by the LB in accordance with this Scheme.

7.13. Any resolution to remove the vice-chairman from office which is passed at a meeting of the LB shall not have effect unless:

1. it is confirmed by a resolution passed at a second meeting of the LB held not less than fourteen days after the first meeting;

2. the matter of the vice-chairman's removal from office is specified as an item of business on the agenda for each of the two meetings.

7.14. Any resolution passed by the LB at the relevant meeting as to whether to confirm the previous resolution to remove the vice-chairman shall be held by secret ballot.

minutes of the proceedings of a meeting of the LB shall be drawn up and entered into a book kept for the purpose by the Trust, and shall be signed (subject to the approval of the members of the LB) at the subsequent meeting by the person acting as chairman thereof. The minutes shall include a record of:

all appointments of members and/or officers made by the LB and/or the Trust; and

all proceedings at meetings of the LB and of committees of the LB including the names of all persons present at each meeting.

The Trust shall ensure that copies of minutes of all meetings of the LB (and such of the subcommittees as the Trust shall determine) shall be provided to the Trust as soon as reasonably practicable after those minutes are drafted.

## **TEES**

The Trust may establish subcommittees as it sees fit. Subcommittees may include individuals who are not members of the LB, but no such individuals shall be in a minority.

## **DELEGATION**

Where such power or function has been delegated to the LB, the LB may further delegate to any person serving on the LB, the Trust or any other holder of an executive office, such of their powers or functions as they consider desirable to be exercised. Any such delegation may be made subject to any conditions either the Trust or the LB may impose and may be revoked or altered at any time.

Where any power or function of the Trust or the LB is exercised by any subcommittee, any Director or member of the LB, the Trust or any other holder of an executive office, that person or subcommittee shall report to the LB in respect of any action taken or omitted to be taken in connection with the exercise of that power or function at the meeting of the LB immediately following the taking of the action or omission.

## **REGULATIONS OF THE LB**

Subject to the provisions contained in this Constitution and the Scheme, the LB may regulate its proceedings as the members may determine.

The LB shall meet at least six times in every school year. Meetings of the LB shall be convened by the clerk to the LB. In exercising this power under this Scheme the clerk shall comply with any direction given by the Trust or by the Chairman or, in his absence or the absence of the office of chairman, the vice-chairman of the LB, so far as such direction is not inconsistent with any provision made in this Constitution.

Any member of the LB may, by notice in writing given to the clerk, requisition a meeting of the LB; and it shall be the duty of the clerk to convene such a meeting as soon as is reasonably practicable.

Notice of a meeting of the LB shall be given at least seven clear days before the date of a meeting:

(1) in writing, signed by the clerk, and sent to each member of the LB at the address provided by each member; and

(2) provided that where the chairman or, in his absence or where there is a vacancy in the office of chairman, the vice-chairman determines on the ground that there are matters demanding urgent consideration, it shall be sufficient if the written notice and a copy of the agenda thereof are given within such shorter period as he directs.

The validity of a meeting and the proceedings conducted thereat shall not be invalidated by reason of any individual not being present at the meeting or a copy of the agenda thereof not being received by him.

t to paragraph 12.12, the quorum for a meeting of the LB, and any vote on any matter thereat, shall be any three or more greater, any one third (rounded up to a whole number) of the total number of members of the LB at the date of the meeting. If the LB has appointed any additional members of the LB pursuant to clause 5.1.2.5 of this Scheme, then the quorum must include those members.

The LB may act notwithstanding any vacancies on its board, but, if the numbers of persons serving is less than the number of continuing persons may act only for the purpose of filling vacancies or of calling a general meeting.

Quorum for the purposes of:

- .1 any vote on the appointment of a parent member in accordance with clause 5.2.5 of the Scheme;
- .2 any vote on the removal of a person in accordance with this Scheme;
- .3 any vote on the removal of the vice-chairman of the LB; shall be any two-thirds (rounded up to a whole number) of the persons entitled to vote on those respective matters.

Subject to this Scheme, every question to be decided at a meeting of the LB shall be determined by a majority of the votes of the persons entitled to vote on the question. Every member of the LB shall have one vote.

Subject to clauses 12.10 – 12.12, where there is an equal division of votes, the chairman of the meeting shall have a casting vote in addition to any other vote he may have.

Proceedings of the LB shall not be invalidated by

- .1 any vacancy on the LB; or
- .2 any defect in the election, appointment or nomination of any person serving on the LB.

A resolution in writing, signed by all the persons entitled to receive notice of a meeting of the LB or of a subcommittee of the LB, shall be as effective as if it had been passed at a meeting of the LB or (as the case may be) a subcommittee of the LB duly convened. A resolution in writing may consist of several documents in the same form, each signed by one or more of the members of the LB and communicated by or on behalf of the LB indicating his or her agreement to the form of resolution providing that the member has notified the LB in writing of the email address or addresses which the member will use.

Subject to clause 12.18, the LB shall ensure that a copy of:

- .1 the agenda for every meeting of the LB;
- .2 the draft minutes of every such meeting, if they have been approved by the person acting as chairman of that meeting;
- .3 the signed minutes of every such meeting; and any report, document or other paper considered at any such meeting, as far as is reasonably practicable, made available at the Academy(s) to persons wishing to inspect them.

Subject to clause 12.18, the LB may exclude from any item required to be made available in pursuance of paragraph 12.16, any material relating to:

- .1 a named teacher or other person employed, or proposed to be employed, by the Academy;
- .2 a named pupil at, or candidate for admission to, the Academy; and

.3 any matter which, by reason of its nature, the LB is satisfied should remain confidential



er of the LB present, either in person or in accordance with paragraph 12.19, at any meeting of the LB shall be deemed to be given at the time of the meeting and, where necessary, of the purposes for which it was called.

That an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. That a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Governance and Administrators shall be conclusive evidence that the notice was given. A notice shall be deemed to be given at the time the envelope containing it was posted or, in the case of a notice contained in an electronic communication, at the time it was sent.

## **LIABILITY**

Subject to the provisions of the Companies Act 2006 every member of the LB or other officer or auditor of the Trust acting in relation to the Academy shall be indemnified out of the assets of the Trust against any liability incurred by him in that capacity in defending any civil or criminal proceedings, in which judgment is given in favour or in which he is acquitted or in connection with any application for judgment by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Academy.

## **MEMBERS' ATTENDANCE AT MEETINGS AND GOVERNOR TRAINING**

Every member of the LB shall attend such training as is reasonably required by the Trust and consistent with the requirements of his or her position of responsibility and or committee membership.

Every member of the LB shall use reasonable endeavours to attend each meeting of the LB and Sub Committee of which he or she is a member and to send apologies as far in advance as is reasonably practicable where attendance is not possible.

Every member of the LB with a particular responsibility for Safeguarding or Special Educational Needs shall use reasonable endeavours to attend such meetings scheduled by the Trust with a specific focus on their area of responsibility and attended by their counterparts from other Academies in the Trust. The Trust shall seek to ensure that any training in relation to these specific areas of responsibility is provided at such meetings.

## **REVIEW AND TERMINATION OF THE SCHEME**

The Scheme shall operate from the Effective Date in respect of the named Academy.

The Scheme may be terminated by the Trust at any time by giving notice in writing to the LB.

The Trust has the absolute discretion to review the Scheme at least on an annual basis and to alter any provisions of it provided that it does not limit the powers delegated to the LB without the consent of the LB unless the Trust has genuine and substantial reasons for doing so. The LB are operating in breach of any statutory or fiduciary duty, that an academy belonging to the Hub or the Academy is in financial deficit, or an Ofsted Category less than "Good"

When considering any material changes to this Scheme or any framework on which it is based, the Trust will have regard to any views expressed by the LB.

Witness the hand of the Trust .....