



2020-2021 Governance Scheme of Delegation

September 2020

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Links to: <ul style="list-style-type: none">• 2020-21 Governance Guide			

Approved by the Board of Trustees on 15 July 2020

Our Vision

We have one core purpose:

To have the biggest positive impact in the varied communities we serve through ensuring top drawer education for our learners. #TransformingLives

How do we ensure this across our trust?

In all we do we are

1. ethical to the core, ensuring that education is always front and centre
2. futures-focused system leaders – never simply followers
3. collaborative in every endeavour
4. resolutely learner centred.

What does this look like across our trust?

Education

We are

1. ruthlessly ambitious for all who learn and work with us
2. unwaveringly inclusive – determined on eradicating barriers to educational success
3. committed to excellent teaching
4. determined upon academic excellence for all in our communities
5. compassionate, ethical and caring advocates for all in our communities
6. outwardly facing and globally conscious.

Operations

We are

1. committed to the very best people development and empowerment
2. determined to shout loudly and share proudly our successes
3. the best professional and technical experts (supporting education) in the sector
4. committed to the very best understanding and management of risk.

Financial

We are

1. providing the best possible public service for the best possible value
2. determined to supplement our public income with shrewd income generation
3. building financially sustainable models of educational improvement in our communities
4. demonstrably efficient in all we do.

Our values

- We will work inclusively within our communities, embracing the varied localities we serve while sharing our common vision and values.
- We will develop the very best leaders of the future, working to improve education and transform lives.
- We will adhere unwaveringly to the ‘Nolan Principles’ of Public Service, which is made clear in our commitment to Ethical Leadership.

About this document

This *Scheme of Delegation* is intended to describe the workings of our governance. It is a formal document which should be referred to in order to resolve any difficulties with regard to the operation of our governance structures.

It should be read alongside our *Governance Guide* which is a practical manual for those involved in our governance. The *Guide* is intended to offer advice on matters of best practice, rather than to answer specific questions about our governance structures.

Both documents are working documents which will be kept under review at all times.

Anyone with feedback on the content of either document should contact Andy Gannon, Head of Corporate Affairs, in the first instance – andy.gannon@academytransformation.co.uk.

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SECTION 1 – OUR GOVERNANCE STRUCTURE

1 About Academy Transformation Trust ('ATT')

- 1.1 ATT (or 'the Trust') is a multi-academy trust which is responsible for operating and maintaining a number of academies in England. The Trust is both a company limited by guarantee and an exempt charity, regulated by the Secretary of State for Education.
- 1.2 The Trust's constitution and objects are set out in its *Memorandum and Articles of Association*. We are also bound by the requirements of our *Master Funding Agreement*, as well as by the provisions of the *Academies Financial Handbook* and a range of other pieces of government guidance and legislation.
- 1.3 The purpose of this document is to provide operating clarity about the roles, responsibilities, authorities and expectations of those who work within our governance and executive leadership structures. It is subsidiary to the documents described in 1.2 above.
- 1.4 This document is subject to formal review by the Board of Trustees on an annual basis, although they may review and amend elements of it more frequently if circumstances require it.

2 Our governance and leadership structures

- 2.1 The Trust does not have shareholders, but it does have **Members**, who provide the highest tier of non-executive oversight.
- 2.2 The most important tier of governance is our Board of **Trustees**. Trustees may either be appointed by Members or co-opted onto the Board by other Trustees. They are Trustees for the purposes of charity law and also fulfil the role of appointed Directors in regard to company legislation. A failure to fulfil the requirements of this role may result in an individual's being disqualified from serving and, as such, bears significant personal liability.
- 2.3 Trustees are accountable for the performance of the Trust and its academies to the Members, to the Secretary of State and also to the communities served by our academies. They are required to have systems in place by which they can fulfil the requirements of the documents in 1.2 above, as well as monitoring and scrutinising the work of the executive.
- 2.4 Trustees also have responsibility for key decision making in respect of aspects of the Trust's operations and are required to act, both collectively and individually, in the best interests of the Trust and its academies and in line with our *Ethical Leadership* statement and other policies. They, along with all those involved in our governance, have a strictly strategic role.
- 2.5 Trustees may not delegate their accountability for the performance of the Trust, but, in practice they do delegate the responsibility for many aspects of our operation as outlined below. Trustees then hold to account the bodies and individuals with 'delegated responsibility' on behalf of the Members, the Secretary of State and the communities we serve.
- 2.6 Trustees delegate responsibility as follows:
- 2.6.1 to a range of **Trust Board sub-committees**, each of which consists of a subset of Trustees, may be established either permanently or temporarily and has delegated responsibility for aspects of decision making, monitoring and scrutiny as set out in this document

- 2.6.2 to a **Local Academy Committee** for each academy, the membership of which is drawn from the local community (including two parents and one member of the academy's staff) and which has delegated responsibility for a small amount of decision making and rather more monitoring and scrutiny of the academy's performance
- 2.6.3 to the **Chief Executive Officer** ('CEO') who is appointed by the Board and who has delegated responsibility for the day-to-day strategic and operational leadership and management of all aspects of the Trust's activity. The CEO, in turn, delegates responsibility for specific aspects of the Trust's operations to members of the **Executive Leadership Team** ('ELT'), to **Directors of Service** and to **Executive Principals** who are accountable, via the CEO, to the Trustees. The CEO also delegates responsibility for the day-to-day management of each academy to the **Principal** of that academy, in line with the provisions described in this document.

3 The role of Members

- 3.1 Members are the 'guardians' of the Trust and, in some ways, can also be viewed as the 'owners' of the Trust, although, unlike the owners of commercial companies, they do not, of course, take dividends from the Trust.
- 3.2 The role of Members is set out in the Trust's *Articles*. Their obligations are described in the DfE's *Academies Financial Handbook*. They
 - 3.2.1 are the subscribers to the Trust's memorandum of association (where they are founding members)
 - 3.2.2 may adopt and amend the *Articles* subject to any restrictions in the *Articles*, the funding agreement or charity law
 - 3.2.3 may, in certain circumstances, appoint new Members or remove existing Members
 - 3.2.4 have powers to appoint and remove Trustees in certain circumstances
 - 3.2.5 must ensure the objects of the Trust are being met
 - 3.2.6 appoint the Trust's auditors
 - 3.2.7 receive the Trust's audited annual accounts (subject to the Companies Act) and annual report at an Annual General Meeting of the Trust
 - 3.2.8 may, by special resolution, issue direction to the Trustees to take a specific action
 - 3.2.9 have power to change the name of the company and, ultimately, wind up the Trust.
- 3.3 Accordingly, the powers specifically **reserved** by Members within ATT (and, therefore, not delegated at all) are
 - 3.3.1 to change the name of the Academy Trust
 - 3.3.2 to change the objects within the *Articles of Association* (which would require Charity Commission and Secretary of State consent)
 - 3.3.3 to change the structure of the Trust Board
 - 3.3.4 to amend the *Articles of Association*
 - 3.3.5 to pass a resolution to wind up the Trust
 - 3.3.6 to appoint the auditors (save to the extent that the Trustees may make a casual appointment).
- 3.4 Member meetings are held twice a year. One of the meetings constitutes the formal Annual General Meeting (AGM) of the Trust. Member meetings are quorate if two Members are present.

4 The role of Trustees

- 4.1 Trustees have overall responsibility, ultimate accountability and decision-making authority for the work of the Trust and its academies.
- 4.2 Trustees are accountable to
 - 4.2.1 the pupils, learners, parents and communities served by our academies
 - 4.2.2 people employed by, or working in a voluntary capacity as part of, the Trust
 - 4.2.3 the Members of the Trust, as set out in the *Articles of Association*
 - 4.2.4 the Secretary of State for Education and the Education and Skills Funding Agency, as set out in the Trust's *Master Funding Agreement*
 - 4.2.5 various statutory and regulatory bodies, including compliance with the regulations of both company and charity law as set out in the *Articles of Association*.
- 4.3 Trustees must also comply with the requirements of the Trust's *Articles of Association* and *Master Funding Agreement*, both of which are available to view on ATT's website.
- 4.4 The remit of the Trust Board is to
 - 4.4.1 establish the vision, mission and values of the Trust
 - 4.4.2 ensure the business of the Trust is conducted solely in pursuit of the objects set out in the *Articles of Association*
 - 4.4.3 safeguard the assets of the Trust
 - 4.4.4 ensure that financial controls and appropriate financial management is in place in accordance with the provision of the *Academies Financial Handbook*
 - 4.4.5 set and monitor overall performance objectives for the Trust, especially in regard to educational outcomes and business operations
 - 4.4.6 establish and monitor the risks to the Trust and ensure that mitigating measures are put in place
 - 4.4.7 ensure that both the Trust Board and the Executive Leadership Team (ELT) have the capacity and skill to lead and manage the Trust and that the ELT is appropriately supported and challenged
 - 4.4.8 delegate authority for the day-to-day operation of the Trust to the CEO and, by extension, to the ELT
 - 4.4.9 ensure that the Trust is led and managed in accordance with all applicable law.
- 4.5 Trustees are expected to follow the seven Principles of Public Life (widely known as the 'Nolan Principles') in everything they do – these principles are selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 4.6 Trustees must
 - 4.6.1 act together and in person and not delegate responsibility of the Trust to others
 - 4.6.2 act strictly in accordance with the *Articles of Association*
 - 4.6.3 act in the Trust's interests only and without regard to their own private interests
 - 4.6.4 manage the Trust's affairs prudently
 - 4.6.5 not take personal benefit from the Trust unless expressly authorised
 - 4.6.6 take proper professional advice on matters on which they are not themselves competent.
- 4.7 The Board must appoint individuals from among their number to act as Chair and Vice Chair. The Chair and Vice Chair provide leadership to the Trust Board.

- 4.8 All Trustees have an equal voice in meetings and in any necessary voting procedures, although, as provided for in the *Articles*, there may be times when the Chair is required to make a casting vote on some matters.
- 4.9 The Trust Board must assure itself that it has the right balance of skills to be able to carry out its duties, and regularly review those skills in order to establish where any gaps may lie. The Trust Board should also be mindful of succession planning and ensure that Trustees are able to gain a variety of experience by serving on the Board.
- 4.10 The Trust Board must appoint a Company Secretary (currently the Head of Corporate Affairs (HoCA)) who is responsible for ensuring that all meetings of the Trust Board and its sub-committees are well planned in order to fulfil their obligations, conducted in accordance with law and with the Trust's ethical principles and appropriately minuted. The Company Secretary must also ensure that statutory return deadlines and other legal obligations are met. The minutes of Trust Board meetings are posted to the Trust website once approved.
- 4.11 Trustees are also Directors of the Trust as a company, and this is a personal office of responsibility and accountability which cannot be transferred to another individual. However, Trustees may delegate the power to carry out certain elements of the Trust's governance and operations to others, while retaining personal accountability for these elements. The Trust Board must not delegate responsibility for any of the 'reserved matters' detailed below.
- 4.12 As well as being mindful of its legal accountabilities, the Trust Board must ensure that it has mechanisms in place to take account of the views of the Trust's key stakeholders within its decision making. This applies especially, but not exclusively, to the views of pupils and learners, parents and academy staff members.
- 4.13 The Trust Board, along with all those involved in the Trust's governance, must ensure that individuals avoid any situations in which they have (or could have) a conflict of interest. If such a circumstance arises, the individual must declare the nature and extent of any interest in any matter relating to the Trust and avoid any conflict of interest between that interest and the interests of the Trust.
- 4.14 The powers specifically **reserved** by the Trust Board within ATT are
- 4.14.1 to determine the overall educational character, mission or ethos of the Trust and its academies
 - 4.14.2 to adopt or alter the Scheme of Delegation and the Terms of Reference of any sub-committee of the Trust Board
 - 4.14.3 to determine the Trust's plans for growth and investment, including the establishment of any trading companies deemed necessary
 - 4.14.4 to sell, purchase, mortgage or charge any land in which the Trust has an interest
 - 4.14.5 to approve the annual estimates of income and expenditure (budgets) and major projects
 - 4.14.6 to sign off the annual accounts
 - 4.14.7 to appoint or dismiss the CEO, the CFO and the Company Secretary
 - 4.14.8 to approve those policies which are deemed by statute or regulation to require full Board approval
 - 4.14.9 to do any other act which the *Master Funding Agreement* expressly reserves to the Trust Board

4.14.10 to do any other act which the *Articles of Association* expressly reserve to the Trust Board

4.14.11 to do any other act which the Trust Board determines to be a 'reserved matter'.

4.15 The Trust Board meets at least three times a year. Trust Board meetings are quorate if a third of Trustees (rounded up to a whole number) are present.

4.16 Trustees normally serve a term of office of four years.

5 The role of Trust Board sub-committees

5.1 The Trust Board has established four sub-committees to oversee specific areas of its work. The members of these sub-committees are confirmed annually.

5.2 The committees are:

5.2.1 Audit and Risk (ARC)

5.2.2 Finance and Resources (FRC)

5.2.3 Pay and People Performance (PAPP)

5.2.4 Standards and Outcomes (SOC).

5.3 The committees meet as timetabled in the Global Calendar.

5.4 The Chair and Vice Chair of each sub-committee are elected by the members of sub-committee on an annual basis. The Chair must be suitably experienced and/or qualified to undertake the task required – in the case of ARC, they must be financially qualified and experienced in the area of risk management.

5.5 The Chair of each sub-committee may direct or invite attendance at meetings by any individuals who may be deemed to provide helpful input to the content of the meeting.

5.6 Meetings of the sub-committees are quorate if the majority of sub-committee members are present. Where a vote is necessary, each member has one vote and the Chair may use a casting vote where a vote is split evenly.

5.7 Sub-committee minutes are provided to the Trust Board at its next full meeting, and the Chair of the sub-committee is required to provide a verbal report to the Trust Board.

5.8 Sub-committees are authorised by the Trust Board to investigate any activity within their terms of reference. They are authorised to seek any information they require from any employee and all employees are directed to cooperate with any request made by sub-committees. Sub-committees are authorised by the Board to obtain outside legal or other independent professional advice.

5.9 Detailed Terms of Reference for each sub-committee are included in section 3 of this document.

6 The role of Local Academy Committees

6.1 The Trust Board has established committees to be known as the Local Academy Committees (LACs). There is a LAC for each academy within the Trust.

6.2 The membership of these LACs must include two parents of pupils currently at the academy and one member of staff. Otherwise, there should be enough members of each LAC to enable it to do an effective job.

6.3 LACs meet at least three and up to six times a year.

- 6.4 The Chair and Vice Chair of each LAC are elected by the members of the LAC and approved by the Trust Board on an annual basis. Other LAC members will be appointed by the LAC themselves.
- 6.5 LAC members serve a four-year term of office, but may leave their post sooner by providing a written resignation to the LAC clerk. LAC members may be asked to leave the LAC by Trustees if they fail to abide by the *Code of Conduct*, for example, by repeatedly failing to attend meetings or to engage with wider governance activity.
- 6.5 The Chair of the LAC may direct or invite attendance at meetings by any individuals who may be deemed to provide helpful input to the content of the meeting.
- 6.6 Meetings of the LAC are quorate if 50% or more of LAC members are present. Where a vote is necessary, each member of the LAC has one vote and the Chair may use a casting vote where a vote is split evenly.
- 6.7 Each LAC has a clerk who is line managed by the Regional Governance Managers. The clerk must provide LAC minutes to the Chair within 7 days and to the Regional Governance Managers within 21 days of any meeting, and the Chair of the LAC may, on occasion, also be invited to provide a verbal or written report to the Trust Board, any of its sub-committees or at a Regional Governance Forum.
- 6.8 LACs also conduct an annual review of their activity and effectiveness and report this to the Trust Board.
- 6.9 LACs are important in the Trust's approach to governance in the following ways. They are
- 6.9.1 responsible for providing assurance to the Board of Trustees (and to external bodies, such as Ofsted) that the academy's work has been scrutinised with an eye to performance improvement and impact on the local community, and that Trust-wide and statutory policies are being properly followed
 - 6.9.2 accountable for the decisions made as part of a panel within the parameters of our policies on complaints, exclusions, admissions appeals and staff disciplinaries
 - 6.9.3 responsible for engaging with collaborative development or quality assurance activities (such as Regional Governance Forums, FARs and other ECSI activity) or supporting the process whereby decisions affecting the academy (such as the appointment of a new Principal or an Ofsted inspection) are made
 - 6.9.4 responsible for ensuring that they have the right membership and balance of skills to do an effective job
 - 6.9.5 charged with engaging fully with our communities and championing the Trust and each academy as their 'heartbeat', developing work that will support positive attitudes to learning among future pupils, parents and others and bringing the outside world into the classroom through the use of their own professional networks.
- 6.10 It is important to note that local governance must not duplicate the activity of the Trust's executive functions in regard to the performance management of the academy's senior leadership. The function of the LAC is to scrutinise rather than to hold to account.
- 6.11 Detailed Terms of Reference for LACs are included in section 3 of this document.
- 6.11 Guidance on the composition, function and conduct of our LACs is contained within the *Governance Guide*, which should be read alongside this document.

7` The role of the CEO and the executive

- 7.1 The CEO and the executive are accountable to Trustees for the day-to-day operation of the Trust and for the achievement of its strategic aims. Key executive roles within the Trust currently include
- 7.1.1 the CEO who also acts as Accounting Officer and is accountable for fulfilling the expectations of that role
 - 7.1.2 the Chief Operating Officer (COO) who is also the Deputy CEO and who has leadership responsibility for human resources, ICT and estates and procurement
 - 7.1.3 the Chief Finance Officer (CFO)
 - 7.1.4 four Regional Education Directors (REDs) who are responsible for the line management of our Executive Principals and Principals
 - 7.1.5 the Director of the ATT Institute, with leadership responsibility for professional development
 - 7.1.6 the Director of Safeguarding (DoS)
 - 7.1.7 the Head of Corporate Affairs who had leadership responsibility for governance and compliance
 - 7.1.7 Directors of Service for human resources, ICT and estates and procurement
 - 7.1.9 Executive Principals who support the REDs in managing a number of our academies
 - 7.1.10 the Principal in each of our academies.
- 7.2 The accountabilities of these roles are detailed within specific job and role descriptors and are not repeated here. The achievement of objectives by members of the executive is monitored by Trustees through the work of sub-committees and also via the professional development process.
- 7.3 Members of the executive attend governance forums at both national and local level. Each governance forum has an 'executive lead' (or 'leads'), as follows:
- 7.3.1 For SOC, the Regional Education Directors, supported by Executive Principals and education portfolio leads
 - 7.3.2 For FRC, the CFO and the COO, supported by the Directors of ICT and Estates and Procurement
 - 7.3.3 For PAPP, the COO, supported by the Director of HR and the Director of the ATT Institute
 - 7.3.4 For ARC, the Financial Controller (who is part of the CFO's team)
 - 7.3.5 For each LAC, the relevant Principal.
- 7.4 In order to maintain ethical separation between our executive and non-executive functions, it is not permitted for any Trust staff member to serve within our governance structures, unless they are an elected staff member of a Local Academy Committee.

SECTION 2 – OUR SCHEME OF DELEGATION

In the table below, many of the responsibilities assigned to the Trust Board will, in fact, be carried out, according to the Terms of Reference, by a sub-committee. Similarly, the CEO will delegate many of the responsibilities below to other members of the executive.

Where LACs are charged with monitoring the impact of activity which is led at Trust level, they should report any concerns either to the relevant executive leader, to one of our governance professionals or to the chair of the relevant Trust Board sub-committee.

Trust governance level	Trust executive level	Academy governance level	Academy executive level
Strategy and leadership			
<p>Members will</p> <ul style="list-style-type: none"> review the effectiveness of Trust leadership annually <p>The Trust Board will</p> <ul style="list-style-type: none"> set the vision and ethos of the Trust and its academies set the strategic objectives of the Trust determine the Trust's approach to investment and growth monitor the effectiveness of the Trust in delivering its objectives ensure the Trust Board has the skillset it needs approve the Trust-wide Scheme of Delegation and Terms of Reference evaluate the effectiveness of Trust governance 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> ensure that activity is designed to meet the strategic objectives of the Trust be accountable for the delivery of Trust-wide objectives agree the strategic objectives of individual academies ensure systems are in place to deliver individual academies' objectives ensure appropriate procedures are in place to inform an investment and growth strategy (including due diligence) 	<p>The LAC will</p> <ul style="list-style-type: none"> contribute local strategic knowledge to the vision and objectives of the academy monitor the effectiveness of the academy in delivering its objectives ensure the needs of the local community are reflected in the academy's operations ensure the LAC has the skillset it needs 	<p>The Principal will</p> <ul style="list-style-type: none"> set a local vision, ethos and set of objectives which are in line with the expectations of the Trust ensure that activity is designed to meet these objectives and secure ongoing improvement for the benefit of learners and the community be accountable for the performance of the academy

Trust governance level	Trust executive level	Academy governance level	Academy executive level
<p>Compliance</p> <p>The Trust Board will</p> <ul style="list-style-type: none"> ensure that there is compliance with the requirements of the <i>Academies Financial Handbook</i> and other relevant guidance and legislation ensure that individual academies are compliant with relevant guidance and legislation ensure appropriate financial controls are in place ensure there is a Trust register of business interests and conflict of interest procedure in place 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> ensure that there are appropriate policies and systems in place to ensure compliance 	<p>The LAC will</p> <ul style="list-style-type: none"> monitor the academy's compliance with relevant policies and procedures ensure there is an academy level register of business interests and conflicts of interest procedure in place 	<p>The Principal will</p> <ul style="list-style-type: none"> ensure that all aspects of the academy's operation comply with relevant guidance and policies
<p>Curriculum and standards</p>			
<p>The Trust Board will</p> <ul style="list-style-type: none"> establish a curriculum vision and ethos agree and monitor educational objectives at Trust and academy level monitor the impact and effectiveness of Trust-wide academy improvement processes 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> determine and monitor educational objectives at Trust and academy level ensure there are appropriate systems in place to enable continuous academy improvement 	<p>The LAC will</p> <ul style="list-style-type: none"> monitor the delivery of educational objectives at academy level appoint a lead member for monitoring the performance of those with SEN and disadvantaged groups 	<p>The Principal will</p> <ul style="list-style-type: none"> lead the setting of the academy EIP and appropriate objectives ensure that all activity is designed to deliver continuous improvement ensure that the requirements of the Trust's curriculum ethos are met

Trust governance level	Trust executive level	Academy governance level	Academy executive level
Safeguarding			
<p>The Trust Board will</p> <ul style="list-style-type: none"> • approve the Trust-wide safeguarding policy, ensuring it complies with relevant legislation • appoint a lead Trustee for safeguarding • monitor the impact of Trust-wide safeguarding activity 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> • ensure that the Trust-wide safeguarding policy and activity complies with relevant legislation and best practice • ensure that systems are in place to support the effective delivery of safeguarding work • monitor the impact of safeguarding work 	<p>The LAC will</p> <ul style="list-style-type: none"> • monitor the impact of safeguarding work within the academy • appoint a lead member for monitoring safeguarding • respond to any concerns raised about the Principal 	<p>The Principal will</p> <ul style="list-style-type: none"> • ensure that the principles of the safeguarding policy are complied with and that safeguarding activity is appropriately resourced and embedded • appoint an appropriately qualified Designated Safeguarding Lead
Admissions, exclusions and complaints			
<p>The Trust Board will</p> <ul style="list-style-type: none"> • ensure that our policies in relation to exclusions and complaints are compliant with legislation and guidance • set the Trust-wide admissions policy 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> • ensure that there is regular training in the implementation of statutory policies relating to admissions, exclusions and complaints • lead the commissioning of independent panels in respect of either admissions or exclusions • approve all plans for academy growth 	<p>The LAC will</p> <ul style="list-style-type: none"> • form a panel to take decisions as part of our policies in relation to complaints, exclusions and admissions appeals • monitor the application of our admissions, exclusions and complaints policies within the academy • review any proposed changes to local admissions arrangements 	<p>The Principal will</p> <ul style="list-style-type: none"> • ensure that policy is followed in relation to student issues • ensure that all staff are aware of their responsibilities within relevant policies • review academy admission numbers on an annual basis with a view to ongoing growth where appropriate

Trust governance level	Trust executive level	Academy governance level	Academy executive level
Inspections and external liaison			
<p>The Trust Board will</p> <ul style="list-style-type: none"> proactively engage with the DfE, ESFA and Ofsted in regard to external views of performance monitor external views and ensure that action is taken to improve performance where difficulties are cited 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> ensure that our relationships with the DfE, ESFA, Ofsted and others are robust and professional in support of our academy improvement strategy ensure that external views are understood and responded to 	<p>The LAC will</p> <ul style="list-style-type: none"> support any external reviews (e.g. by Ofsted) by contributing a governance perspective 	<p>The Principal will</p> <ul style="list-style-type: none"> ensure that sufficient attention is given to the views of Ofsted and others in determining the academy's objectives
Audit			
<p>Members will</p> <ul style="list-style-type: none"> appoint the Trust's auditors and receive the annual accounts <p>The Trust Board will</p> <ul style="list-style-type: none"> appoint an appropriately qualified Audit and Risk Committee determine the focus of audit activity and monitor the response to audit reports 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> ensure that an appropriate programme for internal audit is developed ensure that audit reports are responded to ensure that appropriate executive audit operations are in place 		<p>The Principal will</p> <ul style="list-style-type: none"> ensure that relevant issues within audit reports are addressed
Risk			
<p>The Trust Board will</p> <ul style="list-style-type: none"> monitor the Trust-wide risk register and ensure that risk is being mitigated appoint a lead Trustee for key risk areas if appropriate 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> ensure that risks are appropriately identified and mitigated 	<p>The LAC will</p> <ul style="list-style-type: none"> monitor the academy level risk register appoint a lead member for key risk areas if appropriate 	<p>The Principal will</p> <ul style="list-style-type: none"> ensure that risks are identified and appropriate mitigation put in place

Trust governance level	Trust executive level	Academy governance level	Academy executive level
<p>Finance</p> <p>The Trust Board will</p> <ul style="list-style-type: none"> • appoint an Accounting Officer and an appropriately qualified CFO • agree the Trust-wide funding model • scrutinise and agree the Trust-wide budget • agree the Trust's financial scheme of delegation and appropriate finance-related policies • approve any extraordinary financial decisions which are outside the scope of the agreed budget in line with the financial scheme of delegation • agree Trust-wide approaches to income generation • monitor the impact of specific government grants across the Trust 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> • determine a Trust-wide and academy level budget which meets the requirements of the Trust-wide funding model and will enable academies to thrive • ensure that financial objectives are met in all that the Trust does • ensure that adequate and appropriate insurance and indemnities are in place • ensure appropriate financial procedures and support are in place • ensure that regular management accounts are provided to Trustees and to academy Principals 	<p>The LAC will</p> <ul style="list-style-type: none"> • monitor the impact of financial decisions on the performance of the academy • monitor the impact of specific government and other grants within the academy • contribute to academy level plans for income generation 	<p>The Principal will</p> <ul style="list-style-type: none"> • ensure that the academy's budget and financial objectives are met • ensure academy level compliance with financial procedures • ensure that specific government grants are directed to the areas where they will deliver most impact • consider opportunities for income generation at academy level

Trust governance level	Trust executive level	Academy governance level	Academy executive level
Procurement			
<p>The Trust Board will</p> <ul style="list-style-type: none"> approve the Trust-wide procurement strategy and monitor its impact on our strategic objectives 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> ensure that the procurement strategy complies with relevant legislation and guidance and is focused on delivering both value and quality for our students 	<p>The LAC will</p> <ul style="list-style-type: none"> contribute local knowledge to the implementation of the procurement strategy 	<p>The Principal will</p> <ul style="list-style-type: none"> ensure that the procurement strategy and policy are followed within the academy
Assets and premises			
<p>The Trust Board will</p> <ul style="list-style-type: none"> approve the Trust-wide asset management strategy determine any change in the use of assets and approve any disposal or acquisition of land monitor the impact of the asset management and estates strategy on our strategic objectives 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> ensure the Trust maintains and keeps under review a fixed asset register determine a long term estates and asset management strategy for the Trust and for individual academies within it make applications for grants and other funding which will improve the condition of the Trust's estate 	<p>The LAC will</p> <ul style="list-style-type: none"> contribute local knowledge to the determination of an estates strategy for the academy 	<p>The Principal will</p> <ul style="list-style-type: none"> be responsible for the day-to-day management of the estate and assets, including its upkeep and maintenance and responding to any urgent matters contribute to the determination of a long-term estates strategy for the academy
Whistleblowing			
<p>The Trust Board will</p> <ul style="list-style-type: none"> approve the Trust-wide whistleblowing ensure that whistleblowing concerns can be raised via the Audit and Risk Committee chair 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> develop a whistleblowing policy which is in line with legislative and best practice requirements promote an open and transparent culture for all 		<p>The Principal will</p> <ul style="list-style-type: none"> ensure there is an open and transparent culture within the academy and ensure all staff are aware of the whistleblowing policy and procedures

Trust governance level	Trust executive level	Academy governance level	Academy executive level
<p>HR</p> <p>Members will</p> <ul style="list-style-type: none"> • appoint Member-appointed Trustees <p>The Trust Board will</p> <ul style="list-style-type: none"> • co-opt Trustees if needed • approve the appointment of LAC Chairs and Vice Chairs • appoint the CEO, CFO and Company Secretary • be engaged in the appointment process for academy Principals and other senior leaders • establish a vision and ethos for its work as an employer • approve as required all HR-related policies (including Terms and Conditions of Employment) • monitor the impact of pay progression decisions on the achievement of strategic objectives • monitor the impact of our workforce on strategic objectives • determine CEO and senior executive remuneration in line with national guidance 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> • appoint senior leaders (including academy Principals) and lead any processes in respect of those individuals • agree the arrangements for pay progression and staffing structures based on recommendations from the Principal • ensure that the people culture within the Trust is in line with the vision and ethos • ensure that LACs are properly supported and clerked 	<p>The LAC will</p> <ul style="list-style-type: none"> • propose its Chair and Vice Chair to the Board • appoint LAC members as needed • support the process for senior academy appointments • form a panel to take decisions as part of our policies in relation to staff grievances and disciplinarys 	<p>The Principal will</p> <ul style="list-style-type: none"> • appoint staff to the academy • ensure that Trust-wide employment policies are implemented within the academy • lead all processes relating to staffing structures and pay progression within the academy • ensure that the views of staff and others are taken into account in the work of the academy

Trust governance level	Trust executive level	Academy governance level	Academy executive level
Professional development			
<p>The Trust Board will</p> <ul style="list-style-type: none"> ensure that there is a programme of mandatory and developmental training for Trustees set the Trust's approach to performance development and appraisal 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> provide the framework for mandatory and developmental training provide regular opportunities for collaborative learning and development monitor the performance of staff as part of the professional development process 	<p>The LAC will</p> <ul style="list-style-type: none"> ensure they keep their skills and knowledge up to date by completing mandatory and developmental training 	<p>The Principal will</p> <ul style="list-style-type: none"> ensure that there are opportunities for regular staff development ensure that mandatory and developmental training is completed robustly monitor the performance of staff as part of the professional development process
ICT and digital strategy			
<p>The Trust Board will</p> <ul style="list-style-type: none"> approve the Trust-wide digital strategy and monitor its impact 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> ensure that our digital strategy will enable us to function dynamically and our learners to be well prepared for life and work 	<p>The LAC will</p> <ul style="list-style-type: none"> monitor the implementation and impact of the digital strategy 	<p>The Principal will</p> <ul style="list-style-type: none"> ensure that digital literacy is emphasised within the curriculum contribute to Trust-wide thinking on the future of our digital strategy
Policies and governance			
<p>The Trust Board will</p> <ul style="list-style-type: none"> approve all policies required by statute, legislation or good practice monitor the impact of Trust-wide policies upon our objectives 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> ensure that the policy framework provided is legally compliant and supportive to senior leaders within academies 	<p>The LAC will</p> <ul style="list-style-type: none"> monitor the implementation and impact of policies within the academy 	<p>The Principal will</p> <ul style="list-style-type: none"> ensure that policy frameworks are applied consistently within the academy develop any localized policy elements or procedures required

Trust governance level	Trust executive level	Academy governance level	Academy executive level
<p>Stakeholder engagement</p> <p>The Trust Board will</p> <ul style="list-style-type: none"> ensure that the views of all stakeholders inform their own work and that of the Trust 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> ensure that the views of all stakeholders are regularly canvassed and used to inform practice develop meaningful approaches to reporting to all stakeholders develop meaningful community engagement activities 	<p>The LAC will</p> <ul style="list-style-type: none"> monitor the views of local stakeholders and ensure that they inform their work 	<p>The Principal will</p> <ul style="list-style-type: none"> take a proactive approach to canvassing the views of all stakeholders ensure that actions respond to these views work proactively with the local community to secure the academy's position at its heart
Health and safety			
<p>The Trust Board will</p> <ul style="list-style-type: none"> approve the Trust-wide health and safety policy, ensuring it complies with relevant legislation appoint a lead Trustee for health and safety monitor the impact of Trust-wide health and safety activity 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> ensure that the Trust-wide health and safety policy and activity complies with relevant legislation and best practice ensure that systems are in place to support the effective delivery of health and safety work monitor the impact of health and safety work 	<p>The LAC will</p> <ul style="list-style-type: none"> monitor the impact of health and safety work within the academy 	<p>The Principal will</p> <ul style="list-style-type: none"> ensure that the principles of the health and safety policy are complied with and that health and safety activity is appropriately resourced and embedded

Trust governance level	Trust executive level	Academy governance level	Academy executive level
Data protection			
<p>The Trust Board will</p> <ul style="list-style-type: none"> • approve Trust-wide data protection policies • monitor Trust-wide practice in relation to information management 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> • appoint a Data Protection Officer • ensure that data protection practice is compliant with legislation 		<p>The Principal will</p> <ul style="list-style-type: none"> • ensure that data protection practices within the academy are compliant • appoint a Data Protection Lead
Media and communications			
<p>The Trust Board will</p> <ul style="list-style-type: none"> • be informed of key urgent and critical events and determine our response if within the scope of 'reserved matters' 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> • ensure a clear communications strategy is in place • manage any day-to-day or urgent communications and reputational matters 		<p>The Principal will</p> <ul style="list-style-type: none"> • ensure that urgent communications or reputation matters are dealt with in liaison with executive leaders
Practicalities			
<p>The Trust Board will</p> <ul style="list-style-type: none"> • approve the Trust-wide Global Calendar annually to ensure that it will support the delivery of our objectives 	<p>The CEO and executives will</p> <ul style="list-style-type: none"> • agree proposals from Principals in regard to term dates and academy opening hours 	<p>The LAC will</p> <ul style="list-style-type: none"> • monitor the impact of practical arrangements for running the academy 	<p>The Principal will</p> <ul style="list-style-type: none"> • determine term dates and academy opening hours in line with local practice

SECTION 3 –TERMS OF REFERENCE OF GOVERNANCE BODIES WITH DELEGATED POWERS

Audit and Risk Committee (ARC)

ARC will take action as follows:

1. ARC will determine
 - a. the key areas of risk to the Trust, in consultation with ELT – these may be strategic, compliance-related, financial, operational or reputational
 - b. a recommendation annually to Members for the appointment of external auditors
 - c. the appointment, focus and scope of internal audit activity
 - d. the impact of any external or internal audit findings on the rights of the Trust
 - e. any non-executive actions required as a result of the findings of external and internal audit processes.
2. ARC will present to the Board for approval policies which it has reviewed in relation to safeguarding, data protection, health and safety, risk management and conflicts of interest.
3. ARC will approve
 - a. the annual financial statements on behalf of the Board
 - b. policies on behalf of the Board in relation to Freedom of Information and complaints.

ARC will hold the executive to account as follows:

1. ARC will ensure
 - a. the Trust has a robust approach to risk management which informs strategic planning and operational decision making
 - b. the Trust has an internal and external audit and scrutiny regime which is compliant with statutory requirements and which drives performance improvements
 - c. the Trust has a thorough approach to due diligence in regard to growth or to any other activity it proposes to undertake
 - d. the Trust is legally compliant and following best practice in regard to key areas of risk, including (but not limited to) safeguarding, health and safety, data protection and information sharing
 - e. the Trust has a robust approach to business contingency planning and crisis management
 - f. the Trust has an open, transparent and ethical culture and learns from mistakes
 - g. the Trust maintains adequate insurance and indemnity for appropriate individuals.
2. ARC will scrutinise
 - a. the Trust's risk register along with procedures and controls for managing risk
 - b. activity and impact reports in regard to key areas of risk, including (but not limited to) safeguarding, health and safety, data protection, cybersecurity, educational trips and visits and formal complaints
 - c. the extent to which risk management is embedded across all parts of the Trust (including within governance and individual academies)
 - d. the planning for, execution of and response to internal and external audits, including the external auditors' management letter
 - e. the approach to due diligence in regard to new business
 - f. the Trust's internal control systems to ensure that they are fit for purpose and operating in accordance with the internal financial regulations and procedures.
 - g. the Trust's processes in regard to business contingency planning and crisis management.

Finance and Resources Committee (FRC)

FRC will take action as follows:

1. FRC will determine
 - a. the Trust's strategic approach to growth and income generation
 - b. the appointment of the Trust's Chief Financial Officer
 - c. the approval of related-party transactions, transactions in excess of the OJEU procurement limit, senior staff settlement payments and the annual capital allocation plan.
2. FRC will present to the Board for approval
 - a. the annual budget which it has reviewed and regular reports on financial performance and the impact of resource deployment
 - b. policies in relation to procurement and growth and investment.
3. FRC will approve other finance and resource related policies on behalf of the Board.

FRC will hold the executive to account as follows:

1. FRC will ensure
 - a. there is a financial and resource management strategy which will enable the Trust to deliver its strategic objectives and maintain its position as a going concern
 - b. the Trust's financial and resource operations are compliant with statutory requirements (such as those in the *Academies Financial Handbook*) and appropriate financial controls and procedures are put in place
 - c. there are plans for financial sustainability, growth and ongoing improvement which have been prepared on a financially reasonable basis (using appropriate and realistic assumptions), reviewed for appropriateness and stress/scenario tested
 - d. the deployment of both funding and resources delivers an appropriate return on investment (financially and educationally) for the taxpayer.
2. FRC will scrutinise
 - a. the operational and educational budget and funding models to ensure they support the strategic plan of the Trust, deliver a balanced budget and are in line with agreed key performance targets
 - b. in-year financial performance at Trust and academy level, ensuring costs are in line with the agreed KPI parameters
 - c. the budget, planning, delivery and impact of all capital (estates and IT) expenditure
 - d. the management of working capital and cashflow; including the repayment of any required ESFA GAG advances.
 - e. the annual three-year plan to restore revenue reserves to an agreed level.
 - f. plans and projects which deviate from agreed budgets in advance of their commissioning
 - g. procurement activity (including strategy) and the efficiency and financial impact of external contracts
 - h. the income generation activity (including strategy) and the efficiency and effectiveness of the activities to generate additional income (income achieved vs cost of chasing additional income)
 - i. the efficient and impactful deployment and management of human resources
 - j. the Trust's asset and estates management strategy (including the asset inspection regime)
 - k. the Trust's approach to its environmental responsibilities.

Pay and People Performance Committee (PAPP)

PAPP will take action as follows:

1. PAPP will determine and recommend to the Board appropriate levels of senior executive remuneration, having due regard to DfE guidance
2. PAPP will lead the convening of Trust-level investigation and review panels where required by Trust policies
3. PAPP will approve on behalf of the Board all HR-related policies, including those relating to equality and diversity and whistleblowing.

PAPP will hold the executive to account as follows:

1. PAPP will ensure
 - a. strategies are in place to maximise the efficiency and impact of the Trust's people
 - b. there is a strategy in place to recruit and retain the best people
 - c. there is a robust approach to, and framework for, performance management and reward
 - d. there is a focus on professional development and wellbeing which delivers impact on pupils/learners
 - e. there is a culture of openness and transparency within the Trust which demonstrates a commitment to the Nolan Principles and the Ethical Leadership Framework.
2. PAPP will scrutinise
 - a. the Trust's approach to all HR-related matters, including the recruitment and retention of staff and volunteers and strategies to minimise unnecessary staff turnover
 - b. the Trust's approach to performance management, pay awards and other performance rewards
 - c. the Trust's approach to staff wellbeing, morale and staff feedback
 - d. all work in the area of professional and organisational development, with specific oversight of the work of the ATT Institute
 - e. the implementation of the Trust's statement of ethical leadership
 - f. all appointments made within the Trust at Principal level or above
 - g. the Trust's industrial relations.

Standards and Outcomes Committee (SOC)

SOC will take action as follows:

1. SOC will make recommendations to the Board in regard to the Trust's educational and community ethos, including its approach to curriculum development, the use of technology and aspiration for our pupils/learners and the communities served by our academies.
2. SOC will present to the Board for approval policies which it has reviewed in relation to admissions, SEND and medical conditions.
3. SOC will approve other policies on behalf of the Board in relation to home-school agreements, in-year admissions, the pupil premium, sex and relationships education, CEIAG and the Early Years Foundation Stage (EYFS).

SOC will hold the executive to account as follows:

1. SOC will ensure
 - a. there is a vision and framework in place for continuous improvement in educational standards and outcomes, a clear curriculum strategy and robust KPIs for monitoring Trust-wide performance
 - b. there is an effective educational improvement strategy
 - c. academies are responsive to the needs of their communities and take stakeholder views into account
 - d. academy leaders are compliant with all legal and statutory requirements
 - e. there is support in place for the management of Ofsted inspections and other external scrutiny.
2. SOC will scrutinise
 - a. predicted and actual educational performance against agreed KPIs at academy, regional and Trust-wide level
 - b. specific aspects of the Trust's educational performance, such as its impact on pupils/learners with SEND, its use of pupil premium and other designated funding grants and any performance gaps between different groups of pupils/learners
 - c. the Trust's approach to ensuring the personal development of pupils/learners
 - d. attendance, punctuality and behaviour (including exclusions) and the Trust's impact on developing positive attitudes among pupils/learners
 - e. the impact of the Trust's academy improvement activity, including the FAR and ECSI processes
 - f. the impact of professional and pedagogic development activity across the Trust (for example, through TNGs and SDGs)
 - g. the performance of academies in regard to Ofsted inspections and the delivery of any required academy improvement plans
 - h. how stakeholder views are sought and responded to in order to inform academy improvement
 - i. the Trust's approach to calendar planning, including term dates and the opening hours of its academies.

Local Academy Committees (LACs)

LACs will take action as follows:

1. LACs will ensure that their membership is adequate to perform the roles assigned within this Scheme of Delegation and that members of the LAC are appropriately trained for their roles.
2. LACs will form panels to consider decisions as part of our policies with regard to admissions, exclusions, complaints and staff grievances and disciplinaries.
3. LACs will appoint a lead member for safeguarding and for the outcomes of pupils with special educational needs or disadvantaged pupils. They may also appoint lead members for other key risk areas or themes identified within the EIP.
4. LACs will engage proactively with local stakeholders and ensure that their views are represented in the work of the academy.
5. LACs will engage proactively with Trustees and the leadership of the Trust to ensure that Trust-wide activity is informed by their own work.

LACS will monitor, scrutinise and support the performance of the academy as follows:

1. LACs will scrutinise
 - a. predicted and actual educational performance against the EIP
 - b. specific aspects of the academy's educational performance, such as its impact on pupils/learners with SEND, its use of pupil premium and other designated funding grants and any performance gaps between different groups of pupils/learners
 - c. the academy's approach to safeguarding, including compliance with requirements in regard to the Single Central Record
 - d. the academy's approach to ensuring the personal development of pupils/learners
 - e. attendance, punctuality and behaviour (including exclusions) and the academy's impact on developing positive attitudes among pupils/learners
 - f. the impact of academy improvement activity, including the FAR and other ECSI processes
 - g. the impact of professional and pedagogic development activity
 - h. the performance of the academy in regard to Ofsted inspections and the delivery of any required academy improvement plans
 - i. how stakeholder views are sought and responded to in order to inform academy improvement
 - j. the academy's approach to risk management
 - k. the local implementation and impact of Trust-wide policies and procedures
 - l. the impact of Trust-wide activity on the performance of the academy, for example in regard to finance, health and safety, HR, ICT and other 'centralised' services.
2. LACs will inform and support by
 - a. contributing to senior appointment processes
 - b. contributing to Ofsted inspection processes as the representatives of governance
 - c. contributing to ECSI processes, including the FAR and regular ECSI meetings
 - d. engaging with local and Trust-wide development activities
 - e. ensuring the views of local stakeholders are reflected in academy activity
 - f. providing strategic input to academy development plans.

SECTION 4 – ROLE DESCRIPTORS

Eligibility

In order to serve in any part of our governance, a person is required to declare that they

- are aged over 18
- are not a current pupil at any of the Trust's academies
- have not been declared bankrupt
- are not the subject of a bankruptcy restrictions order or an interim order
- have not been disqualified from holding office as a governor
- have not been disqualified from being a company director and/or a charity trustee
- have not been removed as a trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of misconduct or mismanagement in administration of the charity
- have not been convicted of a criminal offence (excluding any spent convictions, or any offences for which the maximum sentence was a fine)
- agree to provide a criminal records certificate at an enhanced disclosure level.

Trustees

Overall purpose

Trustees are accountable for the strategic direction, broad policy framework and oversight of the Trust and all its academies. They take decisions that are in the best interests of the Trust as a whole and are not representative of any one of the constituent academies. The Trustees are also Directors of the Trust which is a company limited by guarantee and registered as such at Companies House.

Main duties and responsibilities

1. To ensure that the activities of the Trust fulfil the objectives as described in the *Memorandum and Articles of Association*
2. To ensure compliance with the Trust's duties under company and charity law
3. To ensure the Trust and its academies are compliant with all statutory obligations
4. To safeguard the assets of the Trust
5. To ensure the solvency of the trust and to abide by the agreements made with the Department for Education and Education and Skills Funding Agency
6. To review the Trust Board's terms of reference on a regular basis and to recommend any changes to the Board of Members
7. To approve the terms of reference of the Board's committees
8. To approve the terms of reference for devolved governance arrangements
9. To, approve the Trust's annual budget and monitor progress through the receipt of regular reports and to commission auditors
10. To approve the annual budget for each academy and monitor expenditure against the budgets
11. To approve the annual and other statutory reports to Members and the ESFA
12. To agree and review from time to time the scheme of delegation to the academies
13. To determine the overall strategic direction and development of the Trust through good governance and clear strategic planning
14. To approve the Trust's strategic plan
15. To challenge and support the Trust's CEO and Executive team

16. To oversee the performance of the Trust and its academies and direct change where performance falls short of expectation
17. To agree policies across the academies within the Trust
18. To ensure that risks are mitigated where possible and otherwise effectively managed
19. To review the effectiveness and skill set of the Board and recommend appropriate changes to the Board of Members
20. To appoint and, if deemed necessary, to remove the CEO and/or the CFO.

Person specification

Trustees are expected to have experience (and, in some cases, qualifications) which enable them to directly support and scrutinise the three pillars of Trust activity – education, finance and business operations. It is important that the Board as a whole has an appropriate breadth of skill across these areas.

In common with all those involved in our governance, Trustees must espouse the values of the Trust, commit themselves to working in accordance with the Nolan Principles and our statement of Ethical Leadership and agree to abide by the Code of Conduct.

They must also maintain a sufficiently deep understanding of the Trust's *Articles of Association* and *Master Funding Agreement* as well as the DfE's *Academies Financial Handbook* and *Governance Handbook* to enable them to fulfil their legal duties in regard to both company and charity law.

LAC members

Our LAC members are a vital part of driving improvement and excellence and they are specifically accountable to our Trustees.

The role of LAC members is to ensure high standards of achievement for all children and young people in the academy by

1. providing *challenge* and *support* to executive leaders in relation to the educational performance of the academy
2. performing the required non-executive functions in relation to staff and student-related panels and appeals processes
3. ensuring at all times that their own skillsets, development needs and programmes of activity are reviewed and their effectiveness appraised.

As part of the LAC team, a LAC member is expected to

1. support and challenge executive leaders by monitoring the academy's educational performance, which includes
 - a. monitoring the outcomes from and progress against the academy's annual EIP
 - b. considering all relevant data and feedback provided on request by academy leaders and external sources on all aspects of academy performance
 - c. asking challenging questions of academy leaders
 - d. ensuring senior leaders have arranged for the required audits to be carried out and receiving the results of those audits
 - e. monitoring the impact of the deployment of funding and resources within the academy, including specific grants
 - f. monitoring the academy's understanding of and approach to risk management
 - g. acting as a link governor on a specific issue, making relevant enquiries of the relevant staff, and reporting to the LAC on the progress on the relevant academy priority
 - h. seeking out, listening to and reporting to the academy's stakeholders: pupils, parents, staff, and the wider community, including local employers

- i. actively seeking out other sources of information and evidence about the academy's performance, for example, by conducting independent governor visits
 - j. working to secure the academy's place at the heart of its community
2. conduct investigations and/or serve on panels to
 - a. hear the second stage of staff grievances and disciplinary matters
 - b. hear appeals about pupil exclusions
 - c. hear admissions appeals
 - d. hear stage 3 (or, occasionally, stage 2) complaints
3. contribute actively to, and engage with, self-evaluation and professional development activity to ensure that the LAC has the skillset necessary to perform its role
4. engage with Trust-wide governance activity by communicating proactively and attending Trust-wide governance forums and training opportunities
5. represent local governance if required in official settings, for example, during an Ofsted inspection
6. ensure that, at all times, they represent the needs of their local community.

The role of a LAC member is a thinking and questioning role, not a doing role.

Person specification

In order to perform this role well, a LAC member is expected to

- get to know the academy, including visiting during school hours, and gaining a good understanding of the academy's strengths and weaknesses
- attend induction training and regular relevant training and development events
- attend meetings and read all the papers before the meeting
- act in the best interests of all the pupils of the academy
- behave in a professional manner, as set out in the code of conduct, including acting in strict confidence.

LAC members are expected to have experience (and, in some cases, qualifications) which enable them to directly support and scrutinise the work of the academy. It is important that the LAC as a whole has an appropriate breadth of skill across these areas. Two members of the LAC must be parents of current pupils at the academy, and there should be one staff LAC member.

In common with all those involved in our governance, LAC members must espouse the values of the Trust, commit themselves to working in accordance with the Nolan Principles and our statement of Ethical Leadership and agree to abide by the Code of Conduct.

SECTION 5 – GOVERNANCE CODE OF CONDUCT

All those involved in our governance are expected to sign up to the following code of conduct. Failure to abide by it may result in dismissal from a role within our governance.

1 Introduction

- 1.1 We value the commitment and energy of all those who contribute to our governance. We believe it is important to behave professionally at all times and to ensure that we afford respect to all those with whom we come into contact.
- 1.2 This Code of Conduct applies to:
 - 1.2.1 Trust Members
 - 1.2.2 Trustees
 - 1.2.3 Members of Local Academy Committees (LACs).
- 1.3 This Code of Conduct is deemed to have been accepted and agreed by anyone who agrees to serve within any part of our governance.
- 1.4 Governance is a collective responsibility – hence the use of ‘we’ throughout section 3. However, we also believe that those involved in governance are individually accountable – as a consequence, those involved in our governance must also abide by the staff code of conduct, which is a separate policy relating to behaviours.

2 The ‘Nolan’ principles

- 2.1 All those involved in governance within ATT are expected to be aware of, and conduct themselves in accordance with, the Framework for Educational Ethical Leadership, developed by the Ethical Leadership Forum and referenced in our Ethical Leadership statement.
- 2.2 This makes explicit the expectation to conduct oneself in accordance with the seven ‘Nolan Principles’ of public life, summarised below.

Selflessness - Holders of public office should act solely in terms of the public interest.

Integrity - Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity - Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability - Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness - Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty – Holders of public office should be truthful.

Leadership – Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

3 Code of Conduct

Roles and responsibilities

- We understand the purpose of Trust governance and the role of the executive leaders.
- We accept that we have no legal authority to act individually, except when the Board has given us delegated authority to do so, and therefore we will only speak on behalf of Trust governance when we have been specifically authorised to do so.
- We accept collective responsibility for all decisions made. This means that we will not speak against majority decisions outside meetings.
- We have a duty to act fairly and without prejudice.
- We will encourage open governance and will act appropriately.
- We will consider carefully how decisions may affect the community.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of the Trust. Our actions in respect of any one academy will reflect this.
- In making or responding to criticism or complaints we will follow the procedures established by the Trust Board.
- We will actively support and challenge the executive leaders.
- We will accept and respect the difference in roles between the executive and non-executive lines, ensuring that we work collectively for the benefit of the organisation.
- We will respect the role of the executive leaders and their responsibility for the day to day management of the organisation and avoid any actions that might undermine such arrangements.
- 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 online and on social media) we will be mindful of and strive to uphold the reputation of the organisation.
- We will not respond to external events or influences on an individual basis and will always work with executive leaders to determine the most appropriate response.

Commitment

- We acknowledge that accepting office involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of governance, and accept our fair share of responsibilities, including active engagement both in and outside of meetings.
- 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 academy/ies well and respond to opportunities to involve ourselves in activities.
- When working with the academy in a personal capacity (i.e. as a parent or carer), we will continue to act in accordance with this Code of Conduct.
- 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, attendance records and relevant business and pecuniary interests will be published on the academy's website.
- In the interests of transparency, we accept that information relating to us 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 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 will seek to develop effective working relationships with the Trust Board, with executive leaders, staff and parents, with other relevant agencies and with the community.

Confidentiality

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside and outside the academy/ies.
- We will exercise the greatest prudence at all times when discussions regarding Trust business arise outside a meeting.
- We will not reveal the details of any governance vote.
- We will ensure all confidential papers are held and disposed of appropriately.

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 business of governance 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 Trust's or the academy'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 Trust as a whole and not as a representative of any group.

Ceasing governance activities

- We understand that the requirements relating to confidentiality will continue to apply after ceasing governance activities.

Breach of the Code

- If we believe this Code has been breached, we will raise this issue with the Chair and the Chair (or the Vice Chair if the allegation is against the Chair) will investigate and seek guidance from the Trust's Head of Corporate Affairs.
- We understand that the Trust Board reserves the right to remove someone from office for breaches of this Code.

SECTION 6 – GOVERNANCE ALLOWANCES

All those involved in our governance are deemed to have understood the policy below in respect of governance allowances.

Those involved in our governance may claim appropriate recompense for certain expenses, as detailed below.

This applies to Members, Trustees and members of Local Academy Committees.

Our policy in this area has been developed in accordance with the DfE document “The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013”. These regulations give academy trusts the discretion to pay allowances from the Trust’s budget allocation to governors for certain allowances which they incur in carrying out their duties.

Our *Articles of Association* state that 'a director of the academy trust/member of a local governing body may at the discretion of the board/local governing body be reimbursed from the property of the academy trust for reasonable expenses properly incurred by him or her when acting on behalf of the academy trust but excluding expenses in connection with foreign travel.'

Our Board believes that paying governance allowances, in specific categories as set out below, is important in ensuring equality of opportunity to serve for all members of the community and so is an appropriate use of academy funds.

Guidelines

Those involved in governance may claim allowances in respect of actual expenditure incurred whilst attending meetings of the Board and its committees, undertaking training and development and otherwise acting on behalf of the Trust.

They may not claim for

- actual or potential of loss of earnings
- attendance allowance.

Eligible expenses

Categories of eligible expenditure are

- care arrangements, where these are not provided by a relative or current/former partner, for
 - childcare or babysitting expenses
 - an elderly or dependent relative
- extra costs incurred in performing their duties either because a governor has special needs or because English is not their first language
- telephone calls, photocopying and postage (although, wherever possible, these should be undertaken within the academy)
- travel
- subsistence (excluding alcohol).

Allowance rates

Rates at which allowances are payable as follows:

- Care arrangements – actual costs incurred, up to £10 per hour
- Telephone calls and postage – actual costs incurred
- Travel:
 - Mileage rates in accordance with the Inland Revenue Authorised Mileage Rate, currently 45p per mile up to 10,000 miles annually and 25p per mile thereafter
 - For public transport - actual costs incurred for economy/second-class fares
- Subsistence – if additional expenses are incurred because work as a governor requires taking meals (i.e. breakfast, lunch or dinner) away from your local area, reimbursement will be made for the food/non-alcoholic drink items bought on the day claimed subject to the following:
 - One meal rate (5 hour rate) – the rate may be claimed where the governor has been undertaking qualifying travel for a period of at least 5 hours and has incurred the cost of a meal. You may claim up to £5.
 - Two meal rate (10 hour rate) – the rate may be claimed where the governor has been undertaking qualifying travel for a period of at least 10 hours and has incurred the cost of a meal(s). You may claim up to £10.
 - These allowances can be combined up to a total of £20 in any one day. For instance, the ten hour and evening meal allowance could both apply.

Criteria for claims

All claims must be submitted to the relevant clerk within three months of the expenditure's having been incurred. The latest expenses claim form is available from the clerk.

Receipts must be supplied to support claims for reimbursement (e.g. bus ticket, phone bill, taxi receipt, till receipt and a fuel receipt). In the case of telephone calls, an itemised phone bill should be provided, identifying the relevant calls.

Claims for reimbursement must be agreed as justifiable by the Chair of the relevant committee before any reimbursable costs are incurred.

Claims will be subject to independent audit and governor claims may be investigated by the Chair of Trustees (or by the Finance and Resources Committee in respect of the Chair of Trustees) if they appear excessive or inconsistent.

SECTION 7 –THE QUALITY OF GOVERNANCE – CHALLENGE, SUPPORT AND INTERVENTION

We are committed to ensuring the highest standards within our governance, at all levels. This means ensuring that it is both effective and ethical, going ‘above and beyond’ the requirements, for example, of the DfE’s *Governance Handbook* or our own Code of Conduct.

In common with the approach taken to all aspects of our work, we will use the evidence-based approach of Challenge, Support and Intervention to drive our governance performance.

The section outlines how we will do this, and who will be responsible for doing it.

What does ‘ethical and effective governance’ look like?

The elements below will be critical in determining the quality of our governance:

1. Competence and commitment
 - a. Do we have the right range of skills engaged?
 - b. Are people well trained and developed?
 - c. Is there the right level of commitment and engagement from those involved in governance?
 - d. Is there a regular review of the impact of governance?
2. Compliance and professionalism
 - a. Does activity comply with fundamental requirements (e.g. the declarations of interest or mandatory training)?
 - b. Is clerking knowledgeable and effective? Are meetings well planned, conducted and minuted?
 - c. Are governance processes (e.g. exclusions, complaints) compliant with policies and legislation?
3. Relationships and communication
 - a. Is there regular communication between those involved in governance and executive leaders?
 - b. Is the business of governance conducted honestly and robustly in a spirit of mutual support and challenge?
 - c. Are those involved in governance valued for all that they bring to the work?
 - d. Is there evidence of proactive communication at all levels of governance?
4. Questioning and analysis
 - a. Is information provided in a helpful and timely way?
 - b. Is information appropriately questioned in a way that enables those involved in governance to form an evidence-based view of performance?
 - c. Are questions responded to and acted upon by executive leaders?
5. Independent scrutiny
 - a. Is there significant evidence of triangulation of evidence by those involved in governance, for example through visits and the seeking out of stakeholder views?
6. Engagement and collaboration
 - a. Do those involved in governance work alongside others in the Trust to improve practice?
 - b. Is there evidence of a clear sense of accountability to our communities?
7. Purpose and impact
 - a. Is there absolute clarity about the purpose of governance which is shared by all?
 - b. Is there evidence that governance is having an impact and is this regularly reviewed?

Challenge

Our approach to challenge as part of the quality assurance of governance includes the following:

External challenge	The views of DfE and Ofsted in relation to our governance Internal audit schedule of governance review Commissioning late in 2020-21 of external governance review
Internal challenge	Internal CSI, including the FAR process, including governance Compliance audits in regard to statutory procedures Regular reviews of skills and effectiveness led by the Corporate Affairs team Trustee level review of LAC performance and opportunities for observations of different levels of governance
Planning	Through the process of agreeing this document
Regional Governance Forums and Annual Governance Conference	Consideration of challenging aspects of governance performance

Support

All support is firmly rooted in our vision, values and aims and is aligned with our unwavering commitment to collaboration and people development.

External support	Through membership of the Confederation of School Trusts, the NGA, the Key Through the provision of external training and development where needed
Internal support	Through the provision of guidance and easy-access materials such as this document and the <i>Governance Guide</i> Through bespoke training and development Through the support of the Regional Governance Managers and individual advice and guidance Through the <i>Weekly Update</i> and the online portal Through informal networking and communication
Regional Governance Forums and Annual Governance Conference	Through mutual collaboration at these events in regard to aspects of governance

Intervention

The activity of challenge and support may provide evidence of serious failures in governance leading to the need for **intervention**. In such a case, the Head of Corporate Affairs may take action on behalf of either Members or the Board of Trustees.

This may include reviewing or removing any power or responsibility which the Board has delegated or removing individuals from positions within our governance.

This may apply especially in circumstances where serious concerns in the running of an academy (or academies) are identified, including (but not limited to) where

- insufficient progress is being made against educational targets (including where intervention by the Secretary of State is being considered or carried out)
- there has been a breakdown in the way the academy is managed or governed
- the safety of pupils or staff is threatened, including a breakdown of discipline
- there are concerns about financial matters.

Key roles

The **Members** are accountable for ensuring that Trustees are performing effectively. The **Head of Corporate Affairs** keeps this under constant review on behalf of Members and in collaboration with a wide range of external support networks, including those provided by the Confederation of School Trusts and the National Governance Association (NGA).

The **Head of Corporate Affairs** is also charged by Trustees with leading the quality assurance of governance at other levels within the Trust. The Head of Corporate Affairs is supported in this work by two Regional Governance Managers and by the clerk of each Local Academy Committee.

All **executive leaders** have responsibility for ensuring that they play their own part in challenging and supporting those involved in our governance. This applies to **Principals** in regard to LACs and members of **ELT** in regard to Trustee sub-committees.

Executive Principals and **REDs** are responsible for supporting Principals in this work and also for ensuring there is coherence and collaboration between LACs in a given region or cluster.

Insofar as ensuring effective governance is a part of the responsibility of all those in the executive line, the **Chief Executive Officer** will hold all executive leaders to account for their part in delivering our governance ambitions.

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SECTION 8 – BOARD LEVEL PLANNING

Trust Board

Not all items will be considered at every meeting.

AGENDA	
1	<ul style="list-style-type: none"> • Apologies • Declarations of interest • Minutes • Matters arising • Chair's action since last meeting
2	<i>Safeguarding</i>
3	<p><i>Strategic considerations</i></p> <ul style="list-style-type: none"> • (Matters relating to Group strategy requiring consideration by whole Board)
4	<p><i>Performance</i></p> <ul style="list-style-type: none"> • (Regular review of Group KPI data) • (Consideration of any high profile specific issues, such as academies in Ofsted 'inadequate' category)
5	<p><i>ARC</i></p> <ul style="list-style-type: none"> • Minutes, reports and urgent matters
6	<p><i>FRC</i></p> <ul style="list-style-type: none"> • Minutes, reports and urgent matters • Management accounts
7	<p><i>SOC</i></p> <ul style="list-style-type: none"> • Minutes, reports and urgent matters
8	<p><i>PAPP</i></p> <ul style="list-style-type: none"> • Minutes, reports and urgent matters
10	<p><i>Corporate matters</i></p> <ul style="list-style-type: none"> • (Matters related to 'reserved matters') • (Matters related to corporate compliance)
11	<p><i>Specific matters</i></p> <ul style="list-style-type: none"> • (Matters of interest to Trustees which do not fit anywhere else)
12	<p><i>Matters for approval</i></p> <ul style="list-style-type: none"> • (Specific matters not covered elsewhere requiring a decision)
13	<i>AoB</i>

Trust Board sub-committees

AGENDA	
1	<ul style="list-style-type: none">• Apologies• Declarations of interest• Minutes• Matters arising• Chair's action since last meeting
2	<i>Safeguarding</i>
3	<i>Performance monitoring</i> <ul style="list-style-type: none">• (Regular review of agreed dataset based upon Terms of Reference and key questions)
4	<i>Specific matters</i> <ul style="list-style-type: none">• (Matters determined for in-depth consideration – see annual plan)
5	<i>Matters for approval</i> <ul style="list-style-type: none">• (Matters usually related to Trust-wide policies and compliance in accordance with the Scheme of Delegation)
6	<i>AoB</i>

Annual plan of agenda items – Board-level meetings

Meeting	Members	Board	ARC (3x per year)	FRC (6x per year)	SOC (5x per year)	PAPP (3x per year)
Regular review	N/A	Group SEF (annual) Group Annual Delivery Plan (termly – meetings 1, 3 and 5) Academy improvement Policies	Risk register Safeguarding data Health and safety data Compliance data (complaints, data protection) Internal audit reviews Policies	Finance (Operations, Education, Income generation) Operations (Estates, ICT, Procurement) Pupil numbers Grants Policies	Achievement and progress Behaviour and attendance Exclusions Ofsted monitoring ECSI and FAR reports SDG and TNG reports Policies	HR data CPD data Policies
1		Appoint Chair and Vice Chair Declarations of Interest Sub committee membership Approve LAC Chairs and Vice Chairs Compliance audit (AFH etc) Statutory updates and training Skills audit	Sign off annual accounts and management letter Review audit findings Safeguarding	Capital works impact Schedule of procurement contracts	Performance 2019-20 Predictions for 2020-21 Academy EIPs Academy pupil premium strategies Academy SEN reports Academy PE and Sports premium strategies Trust Academy Categorisation	Pay progression Professional development conversations summary Recruitment and retention
2	AGM Receive accounts Annual Report Confirm external auditors	Skills audit analysis and development plan Annual Report Agree Group strategy Audit and management letter Sign off ESFA submission	Data protection Cybersecurity Health and safety	Audited financial statements from ESFA ICT strategy	Trust SEND profile summary Trust Pupil Premium profile and funding and Year 7 catch up spend Data drop 1 Stakeholder views analysis	Review of professional development conversations CPD

Meeting	Board	ARC (3x per year)	FRC (6x per year)	SOC (5x per year)	PAPP (3x per year)
3	Admissions policy	Scope of internal audit Complaints Ethical culture ToRs for following year	AFH must do review	Deep dives as determined	Wellbeing ToRs for following year
4			Proposed draft budget for future years Asset management strategy Approval of capital allocation plan	Data drop 2	
5			Environmental impact Capital works proposals	End of year predictions Staffing overview ToRs for following year	
6	Approve budget Approve governance model, SoD and ToRs Statutory policies for following year		ToRs for following year		

SECTION 9 – STANDARD LAC AGENDA

AGENDA - LAC	
1	<ul style="list-style-type: none"> • Apologies • Declarations of interest • Minutes • Matters arising • MEETING 1 ONLY: formal business interest forms, skills audit, mandatory training – safeguarding, data protection, induction of new governors, role of LAC, Chair and Vice Chair
2	<p><i>Safeguarding</i></p> <ul style="list-style-type: none"> • Review any urgent issues (verbal) • SPRING TERM – Annual safeguarding report
3	<p><i>Performance monitoring</i></p> <ul style="list-style-type: none"> • Principal’s Report – review and challenge and determine any areas (e.g. subjects or matters such as attendance) that you would like to investigate further: a relevant middle or senior leader could produce a report and come to the next meeting, and a governor could carry out a ‘themed visit’ to inform this • Review academy risk register
4	<p><i>Specific matters (ensure there is consideration of both executive input and evidence from other sources)</i></p> <ul style="list-style-type: none"> • Key areas determined for ‘deep dives’ • AUTUMN TERM: Review pupil premium impact and impact of sports funding (statutory requirement) • SUMMER TERM: Review academy SEND activity • ANNUALLY: Review staff wellbeing and pupil enrichment • ANNUALLY: Specific focus on EYFS (if primary) and sixth form (if needed) • ANNUALLY: Review of finance and operations activity within the academy
5	<p><i>Community and stakeholder engagement</i></p> <ul style="list-style-type: none"> • Consideration of ways in which the LAC is engaging with the local community to provide feedback to the academy or to develop its reputation
6	<p><i>Policies and compliance</i></p> <ul style="list-style-type: none"> • Review compliance with Trust-wide policies • Review academy complaints activity
7	<p><i>Communication</i></p> <ul style="list-style-type: none"> • Determination of any key issues to communicate
8	<p><i>AoB</i></p>

Glossary of acronyms

AGM	Annual General Meeting, convened by the Trust's Members
ARC	Audit and Risk Committee, sub-committee of the Trust Board responsible for the monitoring and management of risk
ATT	Academy Transformation Trust ('the Trust')
CEO	Chief Executive Officer (of the Trust), also Accounting Officer
CFO	Chief Financial Officer (of the Trust)
COO	Chief Operating Officer (of the Trust), also Deputy Chief Executive Officer
CSI	Challenge, Support and Intervention – the Trust's regular programme of performance monitoring meetings in regard to each academy (additional letters signify different types of CSI: ECSI (education), FCSI (finance), OCSI (operational), SCSi (safeguarding), GCSI (governance))
DfE	Department for Education, the Government department with overall responsibility for national educational performance
EIP	Evaluation and Improvement Plan, each academy's annual development plan
ELT	Executive Leadership Team, senior executive team for the Trust
ESFA	Education and Skills Funding Agency, the arm's length DfE body responsible for the allocation and monitoring of funding to the Trust
FAR	Full Academy Review, the Trust's annual peer-to-peer quality assessment of each academy
FRC	Finance and Resources Committee, sub-committee of the Trust Board responsible for the monitoring and oversight of financial and operational performance
HoCA	Head of Corporate Affairs (of the Trust)
LAC	Local Academy Committee, sub-committee of the Trust Board at academy level
Ofsted	Office for Standards in Education, the body responsible for inspecting education provision in England
PAPP	Pay and People Performance Committee, sub-committee of the Trust Board responsible for the monitoring and oversight of people-related matters
RED	Regional Education Director (of the Trust), of whom there are four – two in each region, one leading our primary academies and one leading our secondary and FE academies
RGF	Regional Governance Forum, Trust-wide development forum for all those involved in our governance
SLT	Senior Leadership Team, within an academy, led by the academy Principal
SOC	Standards and Outcomes Committee, sub-committee of the Trust Board responsible for the monitoring and oversight of educational performance