



The Bishop Konstant Catholic Academy Trust

Learning Communities, Inspired by Faith

Trust Scheme of Delegation



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DIOCESE OF LEEDS
SCHEME OF DELEGATION
BETWEEN

THE BISHOP KONSTANT CATHOLIC MULTI-ACADEMY TRUST COMPANY

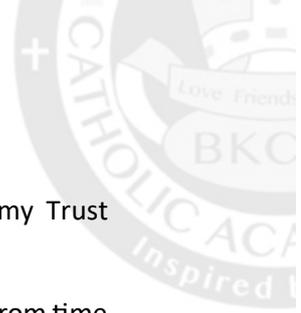
ST JOSEPH'S CATHOLIC PRIMARY SCHOOL, GOOLE

EFFECTIVE DATE: 1st MARCH 2021

DEFINITIONS

In this Scheme of Delegation the following terms shall have the following meanings:

- i. 'Academy' means the academy named at the beginning of this Scheme of Delegation and includes all sites upon which the academy undertaking is, from time to time, being carried out;
- ii. 'Articles of Association' means the articles of association of the Multi-Academy Trust Company (to be based on the February 2015 agreed model articles of association available on the Department for Education website);
- iii. 'Bishop' means the Bishop of the Roman Catholic diocese of Leeds in which the Academy Trust Company is situated (as defined in Canon law) and includes any person exercising Ordinary jurisdiction in his name (including Vicars General and Episcopal Vicars) and any person delegated by him, including officers of the Diocese;
- iv. 'Board of Directors' means the board of Directors of the Multi-Academy Trust Company;
- v. 'Canon law' means the canon law of the Catholic Church from time to time in force and if any question arises as to the interpretation of Canon law, this shall be determined exclusively by the Bishop;
- vi. 'Chair' means the chair of the Board of Directors or the chair to the Local Governing Body of the Academy appointed from time to time, as appropriate;
- vii. 'Clerk' means the clerk to the Board of Directors and/or the clerk to the Local Governing Body of the Academy appointed from time to time, as appropriate, and includes a joint, assistant or deputy clerk;
- viii. 'Delegated Functions' means the functions delegated by the Multi-Academy Trust Company in accordance with the table at Appendix I;
- ix. 'Diocese' or 'Diocesan' means the education service provided by the diocese, which may also be known, or referred to, as the Diocesan Education Service or Diocesan Schools Commission;
- x. 'Diocesan Trustee' means a trustee of the Diocese appointed by the Bishop to safeguard the interests of the Catholic community as a whole in the Diocese and to serve its needs;

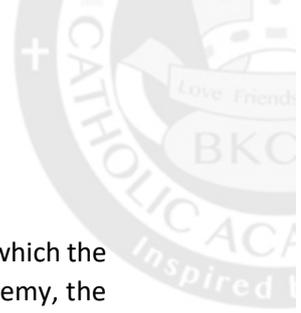


- xi. 'Directors' means directors/trustees appointed to the Board of the Multi-Academy Trust Company;
- xii. 'Foundation Directors and Foundation Governors' means the directors or governors from time to time appointed by the Bishop to represent his diocesan policy on the Board of the Academy Trust Company or the Local Governing Body of the Academy, as appropriate;
- xiii. 'Governors' means the governors appointed and elected to the Local Governing Body of the Academy, from time to time;
- xiv. 'Local Governing Body' means any committee (e.g. Academy Council) established by the Directors pursuant to Article 100 of the Articles of Association to carry out specified functions in relation to the Academy as delegated by the Directors;
- xv. 'Member' means a member of the Multi-Academy Trust Company appointed pursuant to Article 12 of the Articles of Association;
- xvi. 'Multi-Academy Trust Company' means the company responsible for the management of the Academy and, for all purposes, means the employer of staff at the Academy;
- xvii. 'Principal' means the headteacher or executive headteacher as the case may be and is the person named as the headteacher of the school for Ofsted purposes;
- xviii. 'Protocol' means the document that outlines the committed working relationship between the Diocese and the Multi-Academy Trust Company;
- xix. 'Reserved Matters' means the matters that the Directors have determined will not be delegated and will be dealt with exclusively by them;
- xx. 'Vice-Chair' means the vice-chair of the Board of Directors or the vice-chair of the Local Governing Body of the Academy elected from time to time, as appropriate.



1. GOVERNANCE OF THE MULTI-ACADEMY TRUST COMPANY

- 1.1 This Scheme of Delegation has been adopted by the Directors from the Effective Date in accordance with the provisions of the Multi-Academy Trust Company's Articles and it should be read in conjunction with the Articles of Association. References in this Scheme of Delegation to numbered Articles are to the relevant clause of the Multi-Academy Trust Company's Articles of Association.
- 1.2 As a charity and company limited by guarantee the Multi-Academy Trust Company is governed by the Board of Directors who are responsible for, and oversee, the management and administration of the Multi-Academy Trust Company and the academies run by the Multi-Academy Trust Company, including the Academy. The Directors have overall responsibility and ultimate decision-making authority for all the work of the Multi-Academy Trust Company. These responsibilities are largely carried out through strategic planning and the setting of policy.
- 1.3 As the Academy is a Catholic school, designated as such, the Directors are accountable to the Bishop to ensure that the Academy is conducted as a Catholic school in accordance with Canon law and the teachings of the Roman Catholic Church so that, at all times, the Academy may serve as a witness to the Catholic faith in Our Lord Jesus Christ. The Directors are also accountable to external government agencies including the Charity Commission, the Department for Education and the Education & Skills Funding Agency (including any of their successor bodies). Both the Bishop and external government agencies hold the Multi-Academy Trust Company to account for the quality of the education, the financial propriety and the value they provide, and they require that the Multi-Academy Trust Company has systems in place through which they can assure themselves of such quality, safety and good practice.
- 1.4 In order to discharge these responsibilities people who are more locally based may be appointed by the Directors, except insofar as the Bishop appoints the Foundation Governors, to serve on a Local Governing Body (or equivalent) which has been established to ensure the good governance of the Academy. In discharging their duties, the Local Governing Body will comply with any relevant policies, protocols and procedures adopted by the Multi-Academy Trust Company which, in turn, reflect national and Diocesan directions and guidance, where required.
- 1.5 Foundation Directors and Foundation Governors are appointed by the Bishop, and the Foundation Director/Foundation Governor's obligations must be carried out in accordance with any Diocesan policy or protocol, the requirements outlined in the Multi-Academy Trust Company's Articles of Association, this Scheme of Delegation, the Protocol between the Diocese, the Multi-Academy Trust Company and the Academy and any other associated policies and protocols.



1.6 This Scheme of Delegation, particularly the table at Appendix I, explains the ways in which the Directors fulfil their responsibilities for the leadership and management of the Academy, the respective roles and responsibilities of the Directors and the Governors and their commitments to each other to ensure the success of the Academy and the Multi-Academy Trust Company. This Scheme of Delegation serves as the terms of reference for the delegation of powers and responsibilities by the Directors to the Local Governing Body.

2. ETHOS AND MISSION STATEMENT

2.1 The Academy's mission is as follows:

With Jesus Christ at the centre of the life of the Trust, we seek to provide learning communities offering the highest possible standards of education. We are committed to working in partnership and trust for the common good. We strive to encourage and empower children and young people to recognise and realise their God-given potential and to discern their vocation in life. As learning communities inspired by faith, we celebrate achievement, offering each other challenge and support, as together we follow Christ in self-giving love and service.

We have a vision for Catholic education that goes beyond individual schools and changes our perception for 'my' school to 'our' schools. The challenge for us all is, how we can share gifts and talents to ensure the education for all of our children is outstanding.

As a Trust Board we aim to provide challenge and support to the Headteachers of our Academies within the constantly shifting demands of educational theory and practice. We aim to share resources and skills for the benefit of all our Academies as each Academy continues on its journey to provide outstanding Catholic education for all its pupils.

2.2 The Academy is an integral part of the Trust family of schools. The academy will develop and maintain strong relationships with the other academies in the Multi-Academy Trust Company. The academy will seek to uphold the principle of solidarity and support the other member academies and wider Trust, to the full extent necessary to fulfil the Trust's mission.

2.3 In upholding its mission, the Academy will work with, develop and maintain relationships with other schools, Parishes, agencies and businesses in the local community as well as the wider Diocese.

3. MEMBERS' POWERS AND RESPONSIBILITIES

The Members of the Multi-Academy Trust Company are the guardians of the governance of the Multi-Academy Trust Company. They are accountable to the Bishop (unless the Member is the Bishop) to ensure that the Multi-Academy Trust Company is being operated in accordance with the objects in the Articles of Association, which only they can vary.

The members shall be:

- (i) The Bishop
- (ii) The Episcopal Vicar for Education



(iii) The Vicar General

4. DIRECTORS' POWERS AND RESPONSIBILITIES

- 4.1 The Directors have a duty to act in fulfilment of the Multi-Academy Trust Company's objects which are set out in the Articles of Association. The Directors also have a duty to the Bishop to uphold the objects of the Multi-Academy Trust Company and to comply with any directives, advice or guidance issued by the Bishop.
- 4.2 Directors will have regard to the interests of the other academies for which the Multi-Academy Trust Company is responsible in deciding and implementing any policy or exercising any authority in respect of the Academy.
- 4.3 Article 100 provides for the appointment by the Directors of committees, which may be known as Local Governing Bodies, to whom the Directors may delegate certain of their functions¹. The general power to delegate functions under Article 100 is limited in accordance with Articles 105A, 105AA and 105B.
- 4.4 The constitution, membership and proceedings of the Local Governing Body is determined by the Directors and this Scheme of Delegation sets this out as well as acknowledging the authority delegated by the Directors to the Local Governing Body in order to enable the Local Governing Body to run the Academy and fulfil its mission.
- 4.5 Subject to the provisions of the Companies Act 2006, the Articles of Association and to any directions given by the Members of the Multi-Academy Trust Company following a special resolution, or any directives issued by the Bishop or the Diocese, and in accordance with the policies and protocols agreed by the Directors, the way that the business of the Academy is carried forward at a local level shall be delegated by the Directors to the Local Governing Body in accordance with this Scheme of Delegation, more particularly the table at Appendix I.

5. CONSTITUTION OF THE MULTI-ACADEMY TRUST COMPANY

- 5.1 The initial members of the Multi-Academy Trust Company are those named in the Memorandum of Association.
- 5.2 The requirements relating to the constitution of the board of the Directors of the Multi-Academy Trust Company are set out in the Articles of Association.
- 5.3 The requirements relating to the carrying out of the business of the Directors is set out in the Articles of Association.

¹ Whatever the Multi-Academy Trust Company calls the committee(s) established to carry out the functions of the Multi-Academy Trust Company at the local academy level, such committee(s) shall always be established in accordance with Articles 100 and 101.



6. CONSTITUTION OF LOCAL GOVERNING BODY

6.1 Membership

- 6.1.1 The members of the Local Governing Body shall be known as Governors.
- 6.1.2 The number of people who shall sit on the Local Governing Body shall be not less than three subject always to paragraph 6.2.1.
- 6.1.3 The constitution of the Local Governing Body will be in accordance with Appendix 5. A different constitution may be adopted at any time by the Directors with prior written approval of the Diocese.
- 6.1.4 The Foundation Governors on the Local Governing Body will be those appointed by the Bishop.
- 6.1.5 The Directors (all or any of them) shall also be entitled to serve on the Local Governing Body and attend any meetings of the Local Governing Body. Any Director attending a meeting of the Local Governing Body shall count towards the quorum for the purposes of that meeting and shall be entitled to vote on any resolution being considered by the Local Governing Body.
- 6.1.6 All persons appointed or elected to the Local Governing Body shall give a written undertaking to the Directors, the Bishop and the Diocesan Trustees to uphold the objects of the Multi-Academy Trust Company. The Clerk shall be responsible for ensuring that this has been completed and that a copy has been sent to the Diocesan Education Service.

6.2 Appointment of members of the Local Governing Body

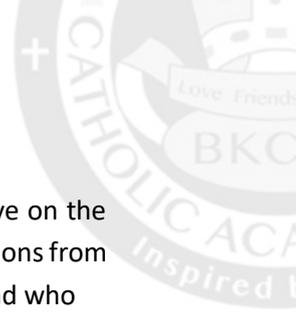
6.2.1 Foundation Governors

The Foundation Governors shall be appointed by the Bishop. They shall outnumber all the other members by two so as to ensure the preservation and development of the Catholic character of the Academy and the Multi-Academy Trust Company.

6.2.2 Staff Governors

6.2.2.1 Unless the Principal resigns from the Local Governing Body, he/she shall be treated for all purposes as being an ex officio member of the Local Governing Body.

6.2.2.2 The Local Governing Body may appoint persons who are employed at the Academy to serve on the Local Governing Body through such processes as the Directors may determine, provided that the total number of such persons (including the Principal) complies with the Local Governing Body's constitution in force at the time.)



6.2.2.3 Unless the Directors agree otherwise, in appointing persons to serve on the Local Governing Body, the Local Governing Body shall invite nominations from all staff who are employed by the Multi-Academy Trust Company and who work at the Academy (excluding the Principal) and, where there are any contested posts, shall hold an election by a secret ballot. All arrangements for the calling and the conduct of the election and resolution of questions as to whether any person is an eligible candidate shall be determined by the Directors.

6.2.3 Parent Governors

6.2.3.1 Subject to clause 6.2.3.5, the parent members of the Local Governing Body shall be appointed after election by parents of registered pupils at the Academy and he or she must be a parent of a pupil at the Academy at the time when he or she is elected.

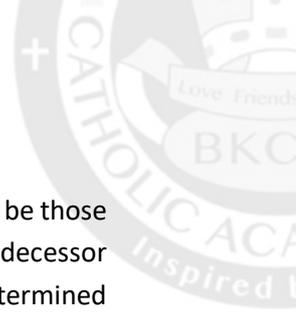
6.2.3.2 The Local Governing Body shall make all necessary arrangements for election of the parent members of the Local Governing body, including any question of whether a person is a parent of a registered pupil at the Academy. Any election of persons who are to be the parent members of the Local Governing Body which is contested shall be held by secret ballot.

6.2.3.3 The arrangements made for the election of the parent members of the Local Governing Body shall provide for every person who is entitled to vote in the election to have an opportunity to do so by post or, if he/she prefers, by having his/her ballot paper returned to the Academy by a registered pupil at the Academy.

6.2.3.4 Where a vacancy for a parent member of the Local Governing Body is required to be filled by election, the Local Governing Body shall take such steps as are reasonably practical to secure that every person who is known to them to be a parent of a registered pupil at the Academy is informed of the vacancy and that it is required to be filled by election, informed that he/she is entitled to stand as a candidate, and vote at the election, and given an opportunity to do so.

6.2.3.5 The number of parent members of the Local Governing Body required shall be made up by persons appointed by the Local Governing Body if the number of parents standing for election is less than the number of vacancies.

6.2.3.6 In appointing a person to be a parent member of the Local Governing Body pursuant to clause 6.2.3.5, the Local Governing Body shall appoint a person who is the parent of a registered pupil at the Academy, or where it is not reasonably practical to do so, a person who is the parent of a child of compulsory school age.



6.2.3.7 The first parent and staff members of the Local Governing Body may be those people who filled those positions on the governing body of the predecessor school at its closure provided that they have the requisite skills as determined by the Directors. Parent and staff governors who do have the requisite skills shall serve on the Local Governing Body for the remainder of the terms of office for which they were elected or appointed to the predecessor governing body provided that the minimum membership of the Local Governing Body does not decrease following closure.

6.3 Term of office

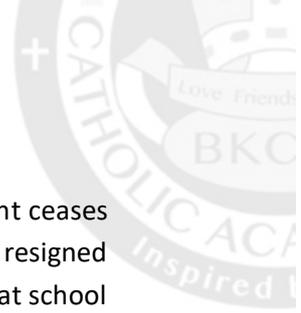
The term of office for any person, other than a Foundation Governor, serving on the Local Governing Body shall be 4 years to be specified at the time of appointment by the person or body appointing them, save that this time limit shall not apply to the Principal. Subject to remaining eligible to be a particular type of member on the Local Governing Body, any person may be re-appointed or re-elected to the Local Governing Body save that Foundation Governors may only serve a maximum of three consecutive four year terms (other than with the consent of the Bishop).

6.4 Resignation and removal

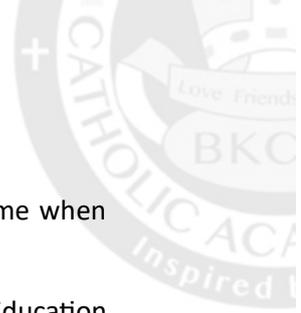
6.4.1 Except in the case of a Foundation Governors, a person serving on the Local Governing Body shall cease to hold office if he/she resigns his/her office by notice to the relevant Local Governing Body (but only if at least three persons will remain in office when the notice of resignation is to take effect). The Local Governing Body must give a copy of the notice to the Directors. A Foundation Governor must resign his/her office by notice to the Bishop who appointed him/her and provide a copy of the notice to the Local Governing Body who shall, in turn, provide that copy to the Directors.

6.4.2 A person serving on the Local Governing Body shall cease to hold office if he/she is removed by the person or persons who appointed him/her. Whilst at the same time as acknowledging that no reasons need to be given for the removal of a person who serves on the Local Governing Body by a person or persons who appointed him, any failure to uphold the values of the Multi-Academy Trust Company and/or the Academy, or to preserve and develop the Catholic character, or to act in a way which is in breach of this Scheme of Delegation or the undertaking given pursuant to paragraph 6.1.6 will be taken into account. A person (except a Foundation Governor) may also be removed by the Directors but only after the Directors have given due regard to any representations by the relevant Local Governing Body.

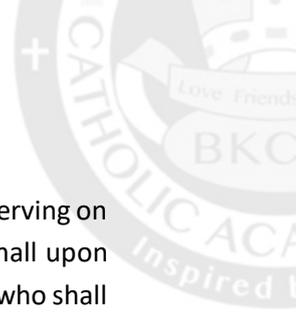
6.4.3 If any person who serves on the Local Governing Body in his/her capacity as an employee at the Academy ceases to work at the Academy then he/she shall be deemed to have resigned and shall cease to serve on the Local Governing Body automatically on termination of his/her work at the Academy.



- 6.4.4 If any person who serves on the Local Governing Body in his/her capacity as a parent ceases to be a parent of a child on roll at the Academy then he/she shall be deemed to have resigned and shall cease to serve on the Local Governing Body automatically at the end of that school term.
- 6.4.5 Where a person who serves on the Local Governing Body is removed from office, those removing him/her, shall give written notice thereof to the Local Governing Body, who shall, in turn, notify the Directors.
- 6.5 Disqualification of members of the Local Governing Body**
- 6.5.1 No person shall be qualified to serve on the Local Governing Body unless he/she is aged 18 or over at the date of his/her election or appointment. No current pupil of the Academy shall be entitled to serve on the Local Governing Body.
- 6.5.2 A person serving on the Local Governing Body shall cease to hold office if he/she becomes incapable by reason of mental disorder, illness or injury of managing or administering his/her own affairs.
- 6.5.3 A person serving on the Local Governing Body shall cease to hold office if he/she is absent without the permission of the Chair of the Local Governing Body from all the meetings of the Local Governing Body held within a period of six months and the Local Governing Body resolves that his/her office be vacated.
- 6.5.4 A person shall be disqualified from serving on the Local Governing Body if:
- 6.5.4.1 His/her estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or
- 6.5.4.2 He/she is the subject of a bankruptcy restrictions order or an interim order.
- 6.5.5 A person shall be disqualified from serving on the Local Governing Body at any time when he/she is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).
- 6.5.6 A person serving on the Local Governing Body shall cease to hold office if he/she would cease to be a director by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).
- 6.5.7 A person shall be disqualified from serving on the Local Governing Body if he/she has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he/she was responsible or to which he/she was privy, or which he/she by his conduct contributed to or facilitated.



- 6.5.8 A person shall be disqualified from serving on the Local Governing Body at any time when he/she is:
- 6.5.8.1 subject to a direction of the Secretary of State under s.142 of the Education Act 2002 or any other disqualification, prohibition or restriction which takes effect as if contained in such a direction; or
 - 6.5.8.2 included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or
 - 6.5.8.3 disqualified from working with children in accordance with Sections 28, 29 or 29A of the Criminal Justice and Court Services Act 2000; or
 - 6.5.8.4 barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006); or
 - 6.5.8.5 disqualified from registration under Part 2 of the Children and Families (Wales) Measure 2010 or child minding or providing day care; or
 - 6.8.5.6 disqualified from registration under Part 3 of the Childcare Act 2006; or
 - 6.5.8.7 disqualified under the Childcare (Disqualification) Regulations 2009.
- 6.5.9 A person may be disqualified from serving on the Local Governing Body if they have ever been:
- 6.5.9.1 convicted of an offence involving violence, dishonesty or deception, or any sexual offence which is not a protected offence; or
 - 6.5.9.2 convicted of causing a nuisance or disturbance on school and/or educational premises; or
 - 6.5.9.3 sentenced to imprisonment (whether suspended or not), in the UK or elsewhere, for a period of not less than three months.
- 6.5.10 A person shall be disqualified from serving on the Local Governing Body where he/she has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 of the Charities Act 2011.
- 6.5.11 A person shall be disqualified from serving on the Local Governing Body if he/she has not provided to the Chair of the Board of Directors the proper criminal records certification as required by law and outlined by the Diocese and the Catholic Education Service. In the event that any such certification or checks disclose any information which would, in the opinion of either the Chair of the Board of Directors or the Principal, confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.



6.5.12 Where, by virtue of this Scheme of Delegation, a person becomes disqualified from serving on the Local Governing Body and he/she was, or was proposed, to so serve, he/she shall upon becoming so disqualified give written notice of that fact to the Local Governing Body who shall inform the Directors and the Bishop.

6.5.13 This clause 6.5 shall also apply to any member of any committee of the Local Governing Body who is not a member of the Local Governing Body.

6.6 Responsibilities of the Local Governing Body

6.6.1 The responsibilities of the Local Governing Body are outlined in this Scheme of Delegation, more particularly in the table and information at Appendices 1, 2, 3, 4 and 5.

6.6.2 The Local Governing Body will adopt and comply with all policies, protocols and procedures of the Multi-Academy Trust Company, the Bishop and the Diocesan Bishop as communicated to the Local Governing Body from time to time.

6.7 Business/Proceedings of the Local Governing Body

Meetings of the Local Governing Body

6.7.1 Subject to this Scheme of Delegation, the Local Governing Body may regulate its proceedings as its members see fit.

6.7.2 The Local Governing Body shall meet at least once per term. Meetings of the Local Governing Body shall be convened by the Clerk to the Local Governing Body. In exercising his/her functions under this Scheme of Delegation, the Clerk shall comply with any direction:

6.7.2.1 given by the Directors or the Local Governing Body; or

6.7.2.2 given by the Chair of the Local Governing Body or, in his/her absence or where there is a vacancy in the office of Chair, the Vice-Chair of the Local Governing Body, so far as such direction is not inconsistent with any direction given as mentioned in 6.7.2.1 above.

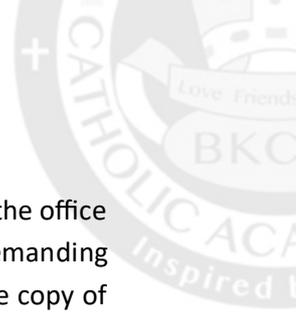
6.7.3 Any three members of the Local Governing Body may, by notice in writing given to the Clerk, requisition a meeting of the Local Governing Body and it shall be the duty of the Clerk to convene such a meeting as soon as is reasonably practicable.

6.7.4 The Clerk shall provide to each member of the Local Governing Body at least seven clear days before the date of a meeting:

6.7.4.1 notice in writing thereof and sent to each member of the Local Governing Body at the address provided by each member from time to time;

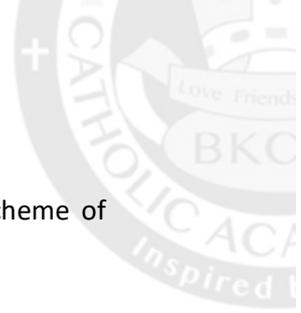
6.7.4.2 all reports or other papers to be considered at the meeting; and

6.7.4.3 a copy of the agenda for the meeting;



provided that where the Chair or, in his/her absence or where there is a vacancy in the office of Chair, the Vice-Chair, so determines on the ground that there are matters demanding urgent consideration, it shall be sufficient if the written notice of a meeting, and the copy of the agenda thereof, are given within such shorter period as he/she directs.

- 6.7.5 The convening of a meeting and the proceedings conducted thereat shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda thereof.
- 6.7.6 A resolution to rescind or vary a resolution carried at a previous meeting of the Local Governing Body shall not be proposed at a meeting of the Local Governing Body unless the consideration of the rescission or variation of the previous resolution is a specific item of business on the agenda for that meeting.
- 6.7.7 A meeting of the Local Governing Body shall be terminated forthwith if:
- 6.7.7.1 the members of the Local Governing Body so resolve; or
 - 6.7.7.2 the number of members present ceases to constitute a quorum for a meeting of the Local Governing Body in accordance with paragraph 6.7.10, subject to paragraph 6.7.12.
- 6.7.8 Where in accordance with paragraph 6.7.7 a meeting is not held or is terminated before all the matters specified as items of business on the agenda for the meeting have been disposed of, a further meeting shall be convened by the Clerk as soon as is reasonably practicable, but in any event within seven days of the date on which the meeting was originally to be held or was so terminated.
- 6.7.9 Where the Local Governing Body resolves in accordance with paragraph 6.7.7 to adjourn a meeting before all the items of business on the agenda have been disposed of, the Local Governing Body shall before doing so determine the time and date at which a further meeting is to be held for the purposes of completing the consideration of those items, and they shall direct the Clerk to convene a meeting accordingly.
- 6.7.10 Subject to paragraph 6.7.12, the quorum for a meeting of the Local Governing Body, and any vote on any matter thereat, shall be any three of the members of the Local Governing Body, or, where greater, any one third (rounded up to a whole number) of the total number of persons holding office on the Local Governing Body at the date of the meeting.
- 6.7.11 The Local Governing Body may act notwithstanding any vacancies on its board, but, if the numbers of persons serving is less than the number fixed as the quorum, the continuing persons may act only for the purpose of filling vacancies or of calling a general meeting.
- 6.7.12 The quorum for the purposes of:
- 6.7.12.1 appointing a parent member;



- 6.7.12.2 any vote on the removal of a person in accordance with this Scheme of Delegation;
- 6.7.12.3 any vote on the removal of the Chair of the Local Governing Body;
shall be any two-thirds (rounded up to a whole number) of the persons who are at the time persons entitled to vote on those respective matters.
- 6.7.13 Subject to this Scheme of Delegation, every question to be decided at a meeting of the Local Governing Body shall be determined by a majority of the votes of the persons present and entitled to vote on the question. Every member of the Local Governing Body shall have one vote.
- 6.7.14 Subject to paragraphs 6.7.10 – 6.7.12, where there is an equal division of votes, the Chair of the meeting shall have a casting vote in addition to any other vote he/she may have.
- 6.7.15 The proceedings of the Local Governing Body shall not be invalidated by
- 6.7.15.1 any vacancy on the board; or
- 6.7.15.2 any defect in the election, appointment or nomination of any person serving on the Local Governing Body.
- 6.7.16 A resolution in writing, signed by the requisite majority of all the persons entitled to receive notice of a meeting of the Local Governing Body or of a subcommittee of the Local Governing Body, shall be valid and effective as if it had been passed at a meeting of the Local Governing Body or (as the case may be) a subcommittee of the Local Governing Body duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the members of the Local Governing Body and may include an electronic communication by or on behalf of the Local Governing Body indicating his/her agreement to the form of resolution providing that the member has previously notified the Local Governing Body in writing of the email address or addresses which the member will use.
- 6.7.17 Subject to paragraph 6.7.18, the Local Governing Body shall ensure that a copy of:
- 6.7.17.1 the draft minutes of every such meeting, if they have been approved by the person acting as Chair of that meeting;
- 6.7.17.2 the signed minutes of every such meeting; and
- 6.7.17.3 any report, document or other paper considered at any such meeting are, as soon as is reasonably practicable, made available at the Academy to persons wishing to inspect them.
- 6.7.18 There may be excluded from any item required to be made available in pursuance of paragraph 6.7.17, any material relating to:
- 6.7.18.1 a named teacher or other person employed, or proposed to be employed, at the Academy;



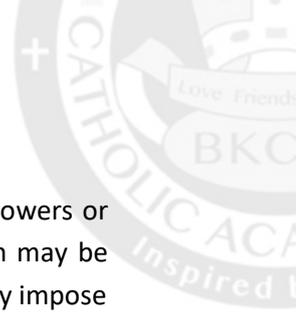
- 6.7.18.2 a named pupil at, or candidate for admission to, the Academy; and
 - 6.7.18.3 any matter which, by reason of its nature, the Local Governing Body is satisfied should remain confidential.
- 6.7.19 Any member of the Local Governing Body shall be able to participate in meetings of the Local Governing Body by telephone or video conference provided that:
- 6.7.19.1 He/she has given notice of his/her intention to do so detailing the telephone number on which he/she can be reached and/or appropriate details of the video conference suite from which he/she shall be taking part at the time of the meeting at least 48 hours before the meeting; and
 - 6.7.19.2 the Local Governing Body has access to the appropriate equipment; and
 - 6.7.19.3 he/she assures the Local Governing Body that the telephone connection and the surrounding environment from which the call is to be made is secure and will comply with the requirement to maintain confidentiality of the business of the Local Governing Body at all times; and
 - 6.7.19.4 he/she is able to hear all participants and fully take part in the discussions.
- 6.7.20 If, after all reasonable efforts it does not prove possible for the person to participate by telephone or video conference pursuant to 6.7.19, the meeting may still proceed with its business provided it is otherwise quorate.

The Minutes

- 6.7.21 The minutes of the proceedings of a meeting of the Local Governing Body shall be drawn up and kept for the purpose by the person authorised to keep the minutes of the Local Governing Body and shall be signed (subject to the approval of the members of the Local Governing Body) at the same or next subsequent meeting by the person acting as chair thereof. The minutes shall include a record of:
- 6.7.21.1 all appointments of officers made by the Local Governing Body; and
 - 6.7.21.2 all proceedings at meetings of the Local Governing Body and of committees of the Local Governing Body including the names of all persons present at each such meeting.
- 6.7.22 The Chair shall ensure that copies of minutes of all meetings of the Local Governing Body (and such of the subcommittees as the Directors shall from time to time notify) shall be provided to the Directors, the Bishop and the Diocesan Trustees as soon as reasonably practicable after those minutes are approved.

Delegation

- 6.7.23 Provided such power or function has been delegated to the Local Governing Body, the Local Governing Body may further delegate to any person serving on the Local Governing Body,



committee, the Principal or any other holder of an executive office, such of their powers or functions as they consider desirable to be exercised by them. Any such delegation may be made subject to any conditions either the Directors or the Local Governing Body may impose and may be revoked or altered.

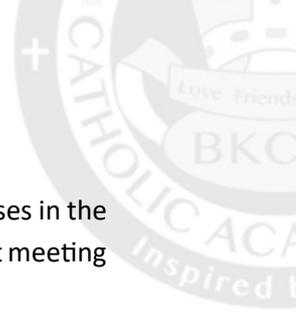
- 6.7.24 Where any power or function of the Directors or the Local Governing Body is exercised by any subcommittee, any Director or member of the Local Governing Body, the Principal or any other holder of an executive office, that person or subcommittee shall report to the Local Governing Body in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the Local Governing Body immediately following the taking of the action or the making of the decision.

Committees of the Local Governing Body

- 6.7.25 Subject to this Scheme of Delegation, the Local Governing Body may establish any subcommittee. The constitution, membership and proceedings of any subcommittee shall be determined by the Local Governing Body but having regard to any views of the Directors. The establishment, terms of reference, constitution and membership of any subcommittee shall be reviewed at least once in every twelve months. The membership of any subcommittee may include persons who do not also serve on the Local Governing Body, provided that a majority of the members of any such subcommittee shall be members of the Local Governing Body or Directors.

Chair and Vice-Chair of the Local Governing Body

- 6.7.26 The members of the Local Governing Body shall, each school year at their first meeting in that year, elect a Chair and a Vice-Chair from amongst the Foundation Governors in their number to serve until a successor is appointed or a vacancy occurs pursuant to paragraph 6.7.28.
- 6.7.27 Subject to paragraph 6.7.30, the Chair or Vice-Chair shall hold office as such until his/her successor has been elected in accordance with paragraphs 6.7.26 - 6.7.37.
- 6.7.28 The Chair or Vice-Chair may at any time resign his/her office by giving notice in writing to the Local Governing Body.
- 6.7.29 The Chair or Vice-Chair shall cease to hold office if:
- 6.7.29.1 He/she ceases to serve on the Local Governing Body;
 - 6.7.29.2 He/she is employed by the Multi-Academy Trust Company whether or not at the Academy;
 - 6.7.29.3 He/she is removed from office in accordance with this Scheme of Delegation;
or
 - 6.7.29.4 in the case of the Vice-Chair, he/she is elected in accordance with this Scheme of Delegation to fill a vacancy in the office of Chair.



- 6.7.30 Where by reason of any of the matters referred to in paragraph 6.7.29, a vacancy arises in the office of Chair or Vice-Chair, the members of the Local Governing Body shall at its next meeting elect one of their number to fill that vacancy.
- 6.7.31 Where the Chair is absent from any meeting or there is at the time a vacancy in the office of the Chair, the Vice-Chair or his/her nominee shall act as the Chair for the purposes of the meeting.
- 6.7.32 Where in the circumstances referred to in paragraph 6.7.30, the Vice-Chair is also absent from the meeting or there is at the time a vacancy in the office of Vice-Chair, the members of the Local Governing Body shall elect one of their number to act as a Chair for the purposes of that meeting, provided that the person elected shall neither be a person who is employed by the Multi-Academy Trust Company whether or not at the Academy nor a Director.
- 6.7.33 A Director shall act as Chair during that part of any meeting at which the chair is elected.
- 6.7.34 Any election of the Chair or Vice-Chair which is contested shall be held by secret ballot.
- 6.7.35 The Chair or Vice-Chair may only be removed from office by the Directors at any time or by the Local Governing Body in accordance with this Scheme of Delegation.
- 6.7.36 A resolution to remove the Chair or Vice-Chair from office which is passed at a meeting of the Local Governing Body shall not have effect unless:
- 6.7.36.1 it is confirmed by a resolution passed at a second meeting of the Local Governing Body held not less than fourteen days after the first meeting; and
 - 6.7.36.2 the matter of the Chair or Vice-Chair's removal from office is specified as an item of business on the agenda for each of those meetings; and
 - 6.7.36.3 copies of the resolutions referred to at paragraph's 6.7.36 and 6.7.36.1 above are served on the Directors.
- 6.7.37 Before a resolution is passed by the Local Governing Body at the relevant meeting as to whether to confirm the previous resolution to remove the Chair or Vice-Chair from office, the person or persons proposing his/her removal shall at that meeting state their reasons for doing so and the Chair or Vice-Chair shall be given an opportunity to make a statement in response.

Clerk

- 6.7.38 The Directors may appoint a Clerk (who must not be the Principal) to provide clerking services to the Local Governing Body and may remove the Clerk from office at any time.
- 6.7.39 In the absence of the Clerk from a Local Governing Body meeting, the Local Governing Body may appoint any one of its members to act as Clerk for the purposes of that meeting.
- 6.7.40 The Clerk must:



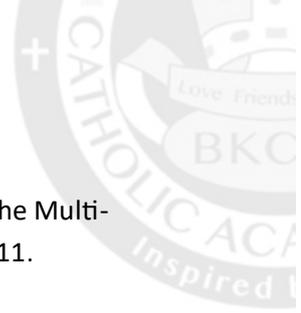
- 6.7.40.1 convene meetings of the Local Governing Body;
- 6.7.40.2 attend meetings of the Local Governing Body;
- 6.7.40.3 advise the Local Governing Body on the Academy's compliance with the Articles, the funding agreement, the scheme of delegation and the law;
- 6.7.40.4 ensure that minutes of the proceedings are drawn up; and
- 6.7.40.5 perform any other functions determined by the Local Governing Body.

Conflicts of Interest

- 6.7.41 A conflict of interest/loyalty shall not be deemed to occur solely from the fact that any member of the Local Governing Body is also a director, charity trustee or governor of any other Catholic school or schools or other educational institution(s), diocese, or religious order, or of any other charity which permits its land to be occupied by a Catholic school or schools or other educational institution(s). Any member of the Local Governing Body who has, or can have, any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts, or may conflict, with his/her duties as a member of the Local Governing Body shall disclose that fact to the Local Governing Body as soon as he/she becomes aware of it. Subject to Article 98A, a person is not permitted to attend any meeting of the Local Governing Body or committee of the Local Governing Body, or any part of any such meeting, where it is possible that a conflict will arise between his/her duty to act solely in the interests of the Academy and the Multi-Academy Trust Company and any duty or personal interest (including but not limited to any Personal Financial Interest).
- 6.7.42 For the purpose of paragraph 5.7.42, a person has a Personal Financial Interest if he/she is in the employment of the Multi-Academy Trust Company or is in receipt of remuneration or the provision of any other benefit directly from the Multi-Academy Trust Company or in some other way is linked to the Multi-Academy Trust Company or the Academy.
- 6.7.43 In the event of any conflict between any provision of this Scheme of Delegation and the Articles, the Articles shall prevail.
- 6.7.44 Any disagreement between the members of the Local Governing Body and the Principal or any subcommittee of the Local Governing Body shall be referred to the Directors for their determination.

Indemnity

- 6.7.45 Subject to the provisions of the Companies Act 2006 every member of the Local Governing Body or other officer or auditor of the Multi-Academy Trust Company acting in relation to the Academy shall be indemnified out of the assets of the Multi-Academy Trust Company against any liability incurred by him/her in that capacity in defending any proceedings, whether civil or criminal, in which judgment is given in favour or in which he/she is acquitted or in connection with any application in which relief is granted to him/her by the court from liability



for negligence, default, breach of duty or breach of trust in relation to the affairs of the Multi-Academy Trust Company, subject to the limitation of s.189 of the Companies Act 2011.

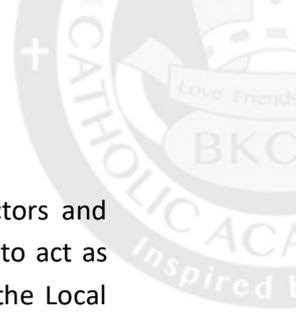
Notices

- 6.7.46 Any notice to be given to or by any person pursuant to this Scheme of Delegation (other than a notice calling a meeting of the Local Governing Body) shall be in writing or shall be given using electronic communications to an address for the time being notified for that purpose to the person giving the notice. In this Scheme of Delegation “address” in relation to electronic communications includes a number or address used for the purposes of such communications.
- 6.7.47 A notice may be given by the Local Governing Body to its members either personally or by sending it by post in a prepaid envelope addressed to the member at his/her registered address or by leaving it at that address or by giving it using electronic communications to an address for the time being notified to the Local Governing Body by the member. A member whose registered address is not within the United Kingdom and who gives to the Local Governing Body an address within the United Kingdom at which notices may be given to him/her, or an address to which notices may be sent using electronic communications, shall be entitled to have notices given to him/her at that address, but otherwise no such member shall be entitled to receive any notice from the Local Governing Body.
- 6.7.48 A member of the Local Governing Body present at any meeting of the Local Governing Body shall be deemed to have received notice of the meeting and, where necessary, of the purposes for which it was called.
- 6.7.49 Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. Proof that a notice contained in an

electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators shall be conclusive evidence that the notice was given. A notice shall be deemed to be given at the expiration of 48 hours after the envelope containing it was posted or, in the case of a notice contained in an electronic communication, at the expiration of 48 hours after the time it was sent.

7. OPERATIONAL MATTERS AT MULTI-ACADEMY TRUST COMPANY AND LOCAL GOVERNING BODY LEVEL

- 7.1 The Local Governing Body shall comply with the obligations set out in this Scheme of Delegation, particularly the relevant sections of the table and information at Appendices I, 2,3,4 and 5 which deal with the day to day operations of the Local Governing Body.
- 7.2 The Local Governing Body will adopt and comply with all policies, protocols and procedures of the Multi-Academy Trust Company, the Bishop and the Diocese as communicated to the Local Governing Body from time to time.



- 7.3 Except for the Foundation Directors and Foundation Governors, the other Directors and members of the Local Governing Body have a duty to act independently and not to act as agents of those who may have appointed them. All Directors and members of the Local Governing Body will act with integrity, objectivity and honesty in the best interests of the Multi-Academy Trust Company and the Academy and shall be open about decisions made and be prepared to justify those decisions except insofar as any matter may be considered confidential. Foundation Governors shall always act in furtherance of their undertaking to the Bishop and the Diocesan Trustees to preserve and develop the Catholic character of the Academy, and the Multi-Academy Trust Company, at all times.
- 7.4 The Local Governing Body shall comply with any inspections by or on behalf of the Directors and any denominational inspections pursuant to section 48 of the Education Act 2005 and any additional canonical inspections and visitations of the Bishop and any person appointed by him for the purpose of ensuring that the Academy is being conducted in accordance with canon law and is following the practices and teachings of the Catholic Church and in order to allow the Bishop to assess how well the Academy is being managed in light of the additional responsibilities and expectations of schools which are academies.
- 7.5 If, in the view of the Directors, one of the following situations arises, then the Directors may resolve to remove some or all of the powers and obligations delegated to the Local Governing Body by this Scheme of Delegation:
- 7.5.1 The Local Governing Body, or one of more of its members, has acted, or allowed another to act, whether knowingly or recklessly, in such a way as to prejudice the Catholic character of the Multi-Academy Trust Company and the Academy;
 - 7.5.2 Standards and performance are low, are likely to be assessed as low and/or are likely to remain so without intervention;
 - 7.5.3 There has been a serious breakdown in management or governance which is prejudicial to standards of performance or breaches the Multi-Academy Trust Company's policies and procedures;
 - 7.5.4 The safety of pupils and staff is threatened; or
 - 7.5.5 Safeguarding procedures are inadequate.
- 7.6 The Local Governing Body shall work closely with and shall promptly implement any advice or recommendations made by the directors in the event that intervention is either threatened or is carried out by the Secretary of State and the Directors expressly reserve the unfettered right to review or remove any power or responsibility conferred on the Local Governing Body under this Scheme of Delegation in such circumstances.

8 REVIEW OF THE SCHEME OF DELEGATION

- 8.1 This Scheme of Delegation shall operate from the Effective Date in respect of the Academy.



- 8.2 The Directors have the absolute discretion to review and amend this Scheme of Delegation at least annually and to alter any provisions of it with the prior written consent of the Bishop (on the advice of the Diocese).
- 8.3 In considering any material changes to this Scheme of Delegation the Directors shall have regard to and give due consideration to any views of the Local Governing Body and shall comply with any guidance/requirements of the Bishop and consider any guidance published by the Catholic Education Service.

**The Bishop Konstant Catholic Academy Trust is an exempt charity regulated by the Secretary of State for Education. It is a company limited by guarantee registered in England and Wales, company number 8253770, whose registered office is at
The Zucchi Suite, Nostell Business Estate, Nostell, Wakefield, WF4 1AB**

GOVERNANCE						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Attend Annual General Meeting	✓	✓	✓	X	X	X
Vary the Articles of Association	✓	✓	X	X	X	X
Change the name of the company/academies	✓	X	X	X	X	X
Appoint/remove Trustees	✓	✓	X	X	X	X
Appoint/remove local governors	✓	✓	X	X	✓	X
Annual Report on the company's performance	✓	✓	✓	✓	X	X
Preserve and develop the religious and educational character, mission and ethos of the company	✓	✓	✓	✓	✓	✓
Carry out the three core functions	X	✓	✓	✓	✓	✓
Strategic oversight of governance	X	✓	✓	✓	X	X
Succession planning	X	✓	✓	✓	✓	✓
Reserved matters and business of the company	X	✓	✓	✓	X	X

GOVERNANCE						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Appointments of administrative nature	X	✓	✓	✓	X	X
Documents, policies and procedures	X	✓	✓	✓	✓	✓
Inspections	X	✓	✓	✓	✓	✓
School to school support	X	✓	✓	✓	✓	✓
Performance management of non-executives	X	✓	✓	✓	✓	X
School level matters	X	✓	✓	✓	✓	✓

Useful Resources:

- Articles of Association of the company – the company’s constitutional document which should be based on the February 2015 model available on the DfE website
- Academies Financial Handbook – a key document which sets out the framework for multi-academy trust companies reflecting their status as companies, charities and public bodies. Compliance with the Academies Financial Handbook is required through the company’s Funding Agreement with the Secretary of State
- Master Funding Agreement – the agreement entered into between the company and the Secretary of State to receive public funds for the establishment and running of academies
- Supplemental Funding Agreement - the agreement(s) entered into between the company and the Secretary of State which sets out how each of the academies in the company will be operated
- Memorandum of Understanding between the Catholic Church and the Department for Education (April 2016) – sets out the key principles to inform the working relationship between the DfE, the CES and the Catholic dioceses with regard to Catholic schools becoming academies
- Charity Commission Guidance ‘CC3: the essential trustee: what you need to know, what you need to do’
- CES Governor skills audit
- CES Governing Body Self-Evaluation Form

- CES Governance Statements
- CES Code of Conduct
- CES Protocol between dioceses and schools
- CES 'A clarification of roles and responsibilities'
- CES Recruitment Resources for Foundation Directors and Foundation Governors
- CES website best practice guidance for governor recruitment
- CES governor recruitment campaign guide
- CES Equality Act Guidance for Catholic Schools
- CES Guidance on Public Sector Equality Duty in England
- CES Guidance on Public Sector Equality Duty in Wales
- CES 'Pupils of Other faiths in Catholic Schools'
- CES 'Catholic Schools, Children of Other Faiths and Community Cohesion'
- CES Checklist for External Speakers in Schools
- [CES Protocol for inspection of publicly funded schools with a religious character]
- List of statutory policies for schools (DfE document but link available on the CES website)

FINANCE						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council</u>	<u>Principal/Headteacher</u>
Appointment of auditors	✓	✓	✓	✓	X	X
Appointment of finance personnel	X	✓	✓	✓	X	X
Trust-wide budgeting and financial control	X	✓	✓	✓	✓	✓
Accounting	X	✓	✓	✓	✓	✓
Documents, policies and Procedures	X	✓	✓	✓	✓	✓
Staffing	X	✓	✓	✓	✓	✓
School level matters; operating within agreed budget	X	X	✓	✓	✓	✓

Useful Resources:

- CES model Governance Statements for Academy Trust Companies
- ESFA Academies Financial Handbook

<u>PROCUREMENT: CONTRACTS/SERVICE LEVEL AGREEMENTS</u>						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Procurement	X	✓	✓	✓	X	X
Ethical considerations	X	✓	✓	✓	✓	✓
Entering into contracts	X	✓	✓	✓	X	X
Payments and expenses	X	✓	✓	✓	✓	✓

<u>STANDARDS</u>						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Monitoring and reporting	X	✓	✓	✓	✓	✓
Appointment of committees	X	✓	✓	✓	✓	✓
Ofsted	X	✓	✓	✓	✓	✓
School level matters	X	✓	✓	✓	✓	✓

<u>CURRICULUM</u>						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Appointment of committees	X	✓	✓	✓	✓	✓
Curriculum	X	✓	✓	✓	✓	✓
Policies and procedures	X	✓	✓	✓	✓	✓

Useful Resources

- Catholic Values and 'British Values' Practical Advice from the CES
- CES resources on Relationship and Sex Education including:
- A model Primary Catholic RSE curriculum
- A model Secondary Catholic RSE curriculum
- A model policy for relationship & sex education (RSE)
- Good practice in developing a school RSE policy
- Catholic RSE Quality Standard
- Governor audit for monitoring RSE
- Who is responsible for teaching RSE to children and young people
- Outstanding RSE in a Catholic context - A case study

<u>SPECIAL EDUCATIONAL NEEDS & DISABILITIES</u>						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Appointments	X	✓	✓	✓	✓	✓
Compliance	X	✓	✓	✓	✓	✓
Documents, policies and procedures	X	✓	✓	✓	✓	✓

<u>SAFEGUARDING</u>						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Monitoring and reporting	X	✓	✓	✓	✓	✓
Compliance	X	✓	✓	✓	✓	✓
Recruitment and appointments relating to safeguarding	X	✓	✓	✓	✓	✓
Documents, policies and procedures	X	✓	✓	✓	✓	✓

Useful Resources

- Keeping Children Safe in Education (KCSIE)
- Working Together to Safeguard Children
- Safer Recruitment Training
- Basic Awareness Training
- Local Children’s Safeguarding Board
- Safeguarding Audits

<u>BEHAVIOUR</u>						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Exclusions	X	X	X	X	X	✓
Documents, policies and procedures	X	✓	✓	✓	✓	✓

<u>ADMISSIONS</u>						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Place planning	X	✓	✓	✓	✓	✓
Admissions arrangements	X	✓	✓	✓	✓	✓
Documents, policies and procedures	X	✓	✓	✓	✓	✓

Useful Resources:

- Diocesan guidance on admissions
- CES Guidance on Eastern Catholic Churches

<u>OTHER PUPIL RELATED MATTERS</u>						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Complaints	X	X	✓	✓	✓	✓
School level matters	X	✓	✓	✓	✓	✓

STAFFING						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Appointments	X	✓ Senior level only	✓	✓	✓	✓
Staffing structures	X	✓	✓	✓	✓	✓
Pay	X	✓	✓	✓	✓	✓
Terms and conditions of employment	X	✓	✓	✓	✓	✓
Performance management	X	✓	✓	✓	✓	✓
Suspension and dismissals	X	✓	✓	✓	✓	✓
Documents, policies and procedures	X	✓	✓	✓	✓	✓

Useful Resources:

- The Bishops' Memorandum on Appointment of Teachers in Catholic Schools
- CES model employment documents, including the User Guide
- CES Guidance Note on Recruitment of Staff for Governing Bodies
- CES Guidance and Model Policy on Disqualification under the Childcare Act 2006

COMMUNICATIONS AND INFORMATION MANAGEMENT						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Compliance	X	✓	✓	✓	✓	✓
Documents, policies and procedures	X	✓	✓	✓	✓	✓

Useful Resources:

- CES Guidance Note on the General Data Protection Regulation
- CES Guidance Note on Freedom of Information
- CES Press Release: Writing Best Practice Guide
- CES model Diocesan Communications Protocol
- Information Commissioners Office
- Information and Records Management Society – Records Management Toolkit for Schools

<u>HEALTH & SAFETY</u>							
<u>Action</u>	<u>Members</u>	<u>Trustees</u>		<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Health & Safety	X	✓	✓	✓	✓	✓	✓

- XACT System/Audit

<u>RISK</u>							
<u>Action</u>	<u>Members</u>	<u>Trustees</u>		<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
	X	✓		✓	✓	✓	✓

Useful Resources

- Church Scheme Rules on RPA for Church Academies
- Trust Risk Management Strategy
- Annual Financial Audit
- Annual Risk Audit

SCHOOL ESTATE						
<u>Action</u>	<u>Members</u>	<u>Trustees</u>	<u>CEO</u>	<u>Senior Executive Leadership (SEL)</u>	<u>Academy Council (AC)</u>	<u>Principal/Headteacher</u>
Insurance	X	✓	✓	✓	X	X
School land and buildings	X	✓	✓	✓	✓	✓
Lettings	X	✓	✓	✓	✓	✓

Useful resources

- CES model Protocol between dioceses and multi-academy trust companies
- Joint CES and National Society document “The Accounting Treatment of Land Occupied by Church Academies”
- Catholic Church Insurance Association: Guidance for Roman Catholic Parishes when letting Diocesan Premises

Scheme of Delegation – Appendix 2 – Finance

1. Budgeting

- 1.1 An individual academy should budget to achieve a year-end position of financial balance or better. Termly Budget Review Meetings will be held by the CEO and Trust Head of Finance with the Headteacher and School Business Manager.
- 1.2 An individual academy may only plan for a year-end deficit with the permission of the CEO and Trust Head of Finance, subsequent approval of the budget by the Trust Board and in such circumstances must have a plan in place to return to financial balance or better by the end of the next financial year at the latest.
- 1.3 The Trust's Head of Finance will notify each academy by 28 February in each year of the date by which the academy's draft budget for the financial year beginning on 1 September in that year, as approved by the Academy Council, must be submitted to the Trust Board for consideration and approval. The Trust's Head of Finance will also notify each academy of the other budget deadlines for that year. Academies must comply with the dates and deadlines so notified.
- 1.4 Where it appears to an academy during a financial year that a year-end deficit may arise, the Headteacher of the academy or the Chair of the Academy Council must immediately notify the Trust's Head of Finance and the Chair of the Trust Board. In consultation with the Trust's Head of Finance, the academy must put a deficit recovery plan in place to return the academy to financial balance by the end of the financial year in question or at the latest by the end of the next financial year. Such plan must be approved by the Trust Board.

2. Reserves

- 2.1 An academy's in-year expenditure can only be funded from its income for that year, unless otherwise agreed with the CEO and Trust Head of Finance at the termly budget meetings and subsequently approved by the Trust Board. Reserves carried forward from previous years may only be used to fund in-year expenses in exceptional circumstances and with the prior permission of the Trust Board, which will determine applications to use reserves to meet in-year expenditure on a case-by-case basis.
- 2.2 Where an academy achieves a surplus in its annual expenditure, such surplus will be added at the year-end to that academy's reserves.
- 2.3 The Trust Board has a discretionary power to utilise an academy's reserves to balance off a deficit occurring elsewhere in the Trust when preparing the consolidated financial position and accounts. The Trust Board will give consideration to academy reserves being held and rolled forward for a specific purpose, as long as it can be demonstrated by the academy that the reserves are then utilised for that specific purpose.

3. Financial Management

- 3.1 The Headteacher of an academy is responsible for the day to day financial management of the academy during the year and must provide a written report on the financial performance of the academy against budget to the Academy Council at each of its meetings, explaining any variations and the plan to be agreed between the Academy Council and the Trust Board to address any deficit. Academy management accounts must be produced by each academy on a monthly basis to allow accurate consolidation reports to be produced. All variances between actuals and budget must be explained and reported to the Trust's Head of Finance on a monthly basis. The Trust's Head of Finance will report this information to the Trust Board's Resources & Risk Management Committee.
- 3.2 The Headteacher may delegate to the School/Academy Business Manager the performance of such tasks as are necessary to enable the Headteacher to satisfy his or her responsibilities under this part of this appendix.

- 3.3 Academies must obtain the prior authority of the Trust Board before entering into any service level agreement or other contract with an external supplier of goods or services (including zero-value contracts such as Dolce Catering). Applications for such authority must be made to the Trust's Head of Finance and should include explanation of the need for the service in question, the reason why the supplier has been chosen, which other suppliers were considered but not chosen and the academy's analysis of the value for money to be provided by the supplier. Existing contracts and service level agreements must not be renewed without reference to the Trust's Head of Finance and without exploring alternative provisions for goods and services, to ensure value for money is evidenced.
- 3.4 The Headteacher of an academy has delegated authority to approve purchases of goods and services which are costed within the approved annual budget up to and including £3,000 (ex VAT) in value. The headteacher of a secondary academy may delegate the authorisation of such expenditure on goods and services up to and including £3,000 (ex VAT) in value to a member of the academy's senior leadership team. The headteacher of a primary academy may delegate likewise to his or her Deputy. The purchase of any goods or services which are not costed within the approved budget and of any goods and services to the value of £3,001 (ex VAT) or more must be authorised in advance of being incurred by the Trust's Head of Finance. For the avoidance of doubt, the total cost of any project, purchase, contract, service level agreement or service that in its entirety would exceed £3000 (ex VAT) must not be broken down into component parts or phases in an attempt to bring the costs below the £3000 (ex VAT) authorisation limit.
- 3.5 Any purchase of goods and services costing more than £3,000 (ex VAT) will only be authorised by the Trust's Head of Finance if three written quotations have been obtained from three separate suppliers. Before making a decision the Trust's Head of Finance may ask that further information be obtained from suppliers who have provided such quotations. Academies must maintain a clear record of the reason for selecting a particular supplier. The Trust Central Team must do the same in respect of contracts which it enters into.
- 3.6 Every order for goods or services must be authorised in writing on a written or electronic order form signed by the appropriate person (in accordance with the provisions of para 3.4. above) before being placed with the supplier. On delivery, goods must be checked against the order and invoice and approved prior to authorisation of payment by the appropriate person.
- 3.7 The Headteacher of an academy must monitor at least every six months the delivery of services under any contracts including service level agreements to ensure that the level of service provided meets the requirements of the academy and the terms of the contract or service level agreement.

4. Salaries

- 4.1 The payment of salaries to all employees of the academy is managed by the School/Academy Business Manager in each academy and is approved by the Trust Central Team. Academies are expected to provide the Trust Central Team with timely information to facilitate the prompt resolution of any payroll issues.

5. Related Party Transactions

- 5.1 The ESFA requires that all related party transactions are reported to it and that its approval is obtained for any such transaction exceeding the value of £20,000, individually or cumulatively.
- 5.2 Related party transactions arise where one party to a transaction has control or influence over the other, or where the parties are subject to common control. Examples include transactions between parent companies and their subsidiaries, and transactions in which trustees, officers or employees of a party contract with another party which is controlled by their family members (including blood relatives and relatives by marriage), associates or friends.
- 5.3 In the context of Multi-Academy Trusts the most common types of related party transactions are for the purchase, sale, lease or donation of goods, services, property, or money.

- 5.4 It is the policy of the Trust to discourage related party transactions. In the event that an academy wishes to enter into such a transaction, the Trust's Head of Finance must be notified of such intended transaction before it is entered into. The Trust's Head of Finance will consult the Chair of the Trust Board who, with the approval of another Trustee, may authorise such transaction. Where the Chair of the Board or any Trustees' family members, associates or friends or organisations under their control are parties to the proposed transaction, such transaction must be approved by two independent Trustees of the Board. Where the Trust's Central Team recommends entering into a related party transaction, the Trust's Head of Finance must consult the Chair of the Trust Board and the authorisation procedure set out in this paragraph must be followed.

Scheme of Delegation – Appendix 3 – Human Resources (HR)

1. Vacancy Management	
All posts to be advertised, re-graded and any variations to contracts must be submitted to HR with a copy of the academy's staffing structure and a Vacancy Release Form. Requests will need financial approval from the Trust Head of Finance. Following Trust authorisation and confirmation of Vacancy Release Form, authority is delegated as below.	
Posts	Delegated Authority
CEO/Trust Standards Officer	Trust Board
Executive Head / Headteacher / Principal / Head of School	Trust Board and Chair of Academy Council
Trust Central Team posts	Trust Board
SLT / Head of Department / Senior Support Staff	Academy Council, Headteacher, Head of HR and Trust Head of Finance
TLR posts	Academy Council, Headteacher, Trust Head of HR and Trust Head of Finance
All other teaching posts	Academy Council, Headteacher, Trust Head of HR and Trust Head of Finance
School / Academy Business Manager	Academy Council, Headteacher, Trust Head of HR and Trust Head of Finance
All other Support Staff posts	Headteacher, Trust Head of HR and Trust Head of Finance

2. BKCAT Recruitment	
All appointment panels should consist of at least 3 members, as indicated in the table below, one of whom must have successfully completed Safer Recruitment Training (following Keeping Children Safe in Education). The Diocese must always have advisory rights in the recruitment of Executive Heads, Headteachers, Principals, Heads of School, Deputy Headteachers and Teachers of Religious Education or any posts where there is a requirement to be a practising Catholic.	
Posts	Delegated Authority
CEO/Trust Standards Officer (Practising Catholic)	Panel: Trust Board (minimum of 3 members, <i>with non-voting co-optees as required</i>)/ Diocesan Director or nominee (advisory rights)
Headteacher/ Principal / Executive Head (Practising Catholic)	Panel: Trust Board Representative / CEO or Trust Standards Officer, and Chair / Vice-Chair of Academy Council(s) (one from both academies for Executive Head), Diocesan Director or nominee (advisory rights)

Trust Central Team posts	Panel: Dependent on the seniority of the position, composition of the panel would be determined by the CEO and Trust Head of HR
Head of School / Deputy Headteacher/Vice Principal (Practising Catholic)	Panel: Trust Board Representative / CEO or Trust Standards Officer, and Chair / Vice Chair of Academy Council, Diocesan Director or nominee (advisory rights)
SLT / Senior Support Staff	Panel: Headteacher/ Chair of Academy Council, one other member of Academy Council
Head of Department / Faculty	Panel: Headteacher/ one other SLT member / appropriate Head / Director of Subject and one Academy Council member
TLR posts	Panel: Headteacher (or nominated representative) / one SLT member and Head of Department OR one Academy Council member (if no Head of Department)
Head of RE and School Chaplains (Practising Catholic)	Panel: Headteacher (or nominated representative), Chair of Academy Council or Academy Council member, one other SLT member, Diocesan Director or nominee (advisory rights)
All other teaching posts	Panel: Headteacher (or nominated representative), Academy Council member and Head of Department OR one Academy Council member (if no Head of Department)
School / Academy Business Manager	Panel: Headteacher, Chair of Academy Council and Trust Head of Finance (or Trust Finance Manager)
All other Support Staff posts (other than School / Academy Business Manager or SLT posts)	Panel: Headteacher (or nominated representative), Line Manager and Academy Council member (optional depending of level of role)

3. Disciplinary Cases and Dismissals			
Posts	Accountability	Delegated Authority	Appeal
All	Suspension: BKCAT Only the BKCAT may end the suspension	Suspension: In liaison with Trust Head of HR, the Headteacher or Chair of Academy Council to make the decision to suspend for up to 10 working days (Safeguarding concerns with liaison with LADO). The Chair of Academy Council may extend the period of suspension, subject to review	
Executive Head / Headteacher / Principal / Head of School	BKCAT	Disciplinary Panel: 3 Academy Council members appointed by Vice-Chair of	Panel of 3: comprising Academy Council and at least one Trust Board member, appointed by

		Academy Council in liaison with Trust Head of HR	the Trust Board in liaison with Trust Head of HR
Core Team posts	BKCAT	Disciplinary Panel: Dependent on the seniority of the position, the composition of the panel would be determined by the Chair of the Trust Board	Panel of 3: Trust Board members appointed by the Chair of the Trust Board
Other Leadership and School / Academy Business Manager	BKCAT	Disciplinary Panel: Chair of Academy Council or a non-staff Academy Council member or a panel nominated by the Chair of Academy Council in line with policy	Panel of 3: comprising Academy Council and at least one Trust Board member, appointed by the Vice- Chair of Academy Council
Other Teaching staff	BKCAT	Headteacher or depending on seriousness of issue a panel of 3 Academy Council members nominated by the Chair of Academy Council in line with policy	Panel of 3: comprising Academy Council and at least one Trust Board member, appointed by the Chair of Academy Council
Other Support Staff	BKCAT	Headteacher or depending on seriousness of issue a panel of 3 Academy Council members nominated by the Headteacher / Chair of Academy Council	Panel of 3: comprising Academy Council and at least one Trust Board member, appointed by the Chair of Academy Council

4. Performance Management		
Performance Management	Accountability	Delegated authority
CEO / Trust Standards Officer	BKCAT	Chair of Trust Board to determine panel
Executive Head	BKCAT	Chair or Vice-Chair of Trust Board and panel including Chair of Academy Council from both academies and external Advisor
Headteacher / Principal	BKCAT	Chair or Vice-Chair of Trust Board (or representative) and panel including Chair of Academy Council and external Advisor
Head of School	BKCAT	Chair of Academy Council and Executive Head
Mid-Year Review:	BKCAT	Chair or Vice-Chair of Academy Council(s)

Executive Head, Headteacher / Principal, Head of School		
Trust Central Team posts	BKCAT	CEO or Trust Standards Officer and / or Line Manager
All other Academy Posts	BKCAT	A person appointed by the Headteacher, in line with the relevant Appraisal / Performance Management policy

5. Other HR Functions		
Settlement Agreements	Accountability	Delegated authority
Settlement Agreements (any value)	BKCAT	Chair or Vice Chair of Trust Board to authorise all Settlement Agreements in liaison with Academy Council and Trust Head of HR. Sums above £50,000 need to be reported to ESFA.
Signature of letter Appointment	Accountability	Delegated authority
CEO / Trust Standards Officer	BKCAT	Chair of Trust Board
Executive Head / Headteacher / Principal	BKCAT	Chair of Trust Board
Trust Central Team posts	BKCAT	Chair of Trust Board
All other Academy Posts	BKCAT	Chair of Academy Council / Headteacher
Collective Agreements	BKCAT	Chair of Trust Board
Teachers Pay – MPS / UPS / TLR	BKCAT	Headteacher, with salary advice from Trust Head of HR if required; ratified by Academy Council Pay Committee (or equivalent)
Acting Up Payments / Additional Payments	Accountability	Delegated authority
CEO / Trust Standards Officer	BKCAT	Chair of Trust Board advised by Trust Head of HR
Executive Head	BKCAT	Chair of Trust Board and Chairs of Academy Councils advised by Trust Head of HR

Headteacher / Principal	BKCAT	Chair of Trust Board and Chair of Academy Council advised by Trust Head of HR
All other Academy Posts	BKCAT	Chair of Academy Council advised by Trust Head of HR
Trust Central Team posts	BKCAT	Chair of Trust Board or CEO / Trust Standards Officer advised by Trust Head of HR and approved by Trust Head of Finance
Restructuring, TLR	BKCAT	Chair of Trust Board, Academy Council advised by Trust Head of HR and approved by Trust Head of Finance
Re-grading, Re-designation	BKCAT	Following BKCAT job evaluation, Chair of Academy Council advised by Trust Head of HR and approved by Trust Head of Finance
Creation of permanent posts	BKCAT	Chair of Trust Board, Academy Council, Headteacher advised by Trust Head of HR and approved by Trust Head of Finance
Revisions to Pay and Conditions	BKCAT	Trust Board, Trust Head of HR and Trust Head of Finance
Terms and Conditions	BKCAT	Trust Board, Trust Head of HR and Trust Head of Finance
Decisions to make Redundancies	BKCAT	Trust Board plus 3 members of Academy Council advised by Trust Head of HR and approved by Trust Head of Finance
Determination of Headteacher, Deputy Head and Assistant Head pay ranges	BKCAT	Trust Board and Academy Council advised by Trust Head of HR and approved by Trust Head of Finance
Contracts of Employment	Accountability	Delegated authority
CEO / Trust Standards Officer	BKCAT	Trust Board and Trust Head of HR
Executive Head	BKCAT	Trust Board and Head of HR
Headteacher / Principal	BKCAT	Trust Board and Trust Head of HR
Trust Central Team posts	BKCAT	Trust Board and Trust Head of HR
School / Academy Business Manager	BKCAT	Trust Board and Trust Head of HR
All other academy posts	BKCAT	School / Academy Business Manager / Senior Administrator, authorised and signed by Headteacher

Documents, Policies & Procedures	Accountability	Delegated authority
Teachers Pay Policy	BKCAT	Trust Board and Trust Head of HR
Support Staff Pay Policy	BKCAT	Trust Board and Trust Head of HR
CES Teachers Appraisal Policy	BKCAT	CES, Trust Board and Trust Head of HR
CES Support Staff Appraisal Policy	BKCAT	CES, Trust Board and Trust Head of HR
Trust Staff Code of Conduct	BKCAT	Trust Board and Trust Head of HR
Trust Social Media Policy	BKCAT	Trust Board and Trust Head of HR
CES Sickness Absence Policy and Procedure	BKCAT	CES, Trust Board and Trust Head of HR
CES Disciplinary Policy and Procedure	BKCAT	CES, Trust Board and Trust Head of HR
CES Grievance Policy and Procedure	BKCAT	CES, Trust Board and Trust Head of HR
CES Capability Policy and Procedure	BKCAT	CES, Trust Board and Trust Head of HR
Trust Recruitment and Selection Procedure	BKCAT	Diocese, Trust Board and Trust Head of HR
Other employee related letters and paperwork	BKCAT	Trust Head of HR

Any other delegated authority not described would need to be referred to the Trust Board for a decision.

Scheme of Delegation – Appendix 4 – Premises

1. Background

- 1.1 The academy buildings within the Trust are owned by the Diocese of Leeds. Some academy fields and some caretakers' bungalows are owned by Wakefield Metropolitan District Council (except at St Benedict's, Garforth where the local authority concerned is Leeds City Council).
- 1.2 The Trust is responsible for the maintenance and necessary refurbishment of all academy buildings, academy fields and caretakers' bungalows. This document sets out the division of this responsibility between the Trust Board (generally acting through its central administrative team – "the Trust Central Team") and the Headteacher and Academy Council of each academy. Each academy has a repairs and maintenance element within its annual budget.
- 1.3 Headteachers are responsible for all aspects of health and safety within an academy.
- 1.4 The Trust employs at least one caretaker at each academy. The salaries of caretakers are funded out of each academy's annual budget. Caretakers are answerable to the Headteacher of each academy. They are primarily responsible for routine maintenance, for day to day inspection of the premises and together with the School/Academy Business Manager, ensuring statutory inspections are scheduled and carried out in line with current legislation, as directed by the Headteacher of the academy and the Trust.

2. Procedure for Repairs

When the need for a repair is identified:

- i. The caretaker should immediately notify the School/Academy Business Manager (SBM).
- ii. If there is the possibility of an insurance claim, the SBM should immediately notify the Trust Central Team.
- iii. If a contractor is needed to assess the work required, such contractor should be drawn from the Trust's preferred list of contractors.
- iv. If the contractor's advice is that the repair will cost £3,000 or more (ex VAT), the SBM must notify the Trust Central Team immediately and then obtain three written quotes for the work, liaising with the Trust Central Team in the selection of suitable service providers.
- v. The procedure for authorising expenditure in an academy is set out in Appendix 2: Finance to the Trust Scheme of Delegation.
- vi. In the event that the cost of a repair is likely (whether in itself or when taken cumulatively with the costs of other repairs paid for or anticipated in an academic year) to cause risk that the academy's annual premises budget will be exceeded, the SBM must immediately notify the Trust's Head of Finance and the matter will be referred to the Chair of the Resources & Risk Management Committee for consideration.
- vii. The academy's reserves may not be used to pay for repairs to or refurbishment of premises without the prior approval of the Chair of the Resources & Risk Management Committee.

3. School Capital Allocation (SCA)

- 3.1 The Trust receives an annual allocation of funds from DfE which is to be spent on capital projects in academies (to include building works, equipment purchases, work on health and safety projects, repairs). The amount of the annual allocation is notified to the Trust Central Team in March each year and is to be spent in the period between 1 May and 31 March each year.
- 3.2 The Trust will invite each academy to submit an application for consideration for SCA funding. Each academy may identify up to two key projects within the application. Headteachers of academies should each consider with their respective Academy Council what the needs for SCA funding in their academy might be in a given year and should notify the Trust Central Team by 31 January of such needs, providing an explanation why each particular item and in what way it will benefit the children in the academy. If

only some children will benefit, particular care should be taken in explaining the need. An estimate of cost should be provided for each item.

- 3.3 The Chair of the Resources & Risk Management Committee will convene a meeting to take place on the earliest convenient date in February each year at which a panel of at least three Trustees (advised by members of the Trust Central Team) will assess applications for SCA funding, select those applications which will in principle be funded from Trust's SCA allocation and direct any steps to be taken, including the obtaining of independent professional advice if deemed necessary, to further evaluate applications before they are finally approved. Such further approvals as are necessary shall be given by the Resources & Risk Management Committee.
- 3.4 The Trust reserves the right to review priorities in the event of new emergency compliance and health and safety issues being reported to the Trust.

4. Condition Survey

- 4.1 The Trust Board shall ensure that in every fifth year, a professional condition survey shall be carried out at the premises at each academy within the Trust, the cost of such survey to be met from central funds.

5. School Repairs and Maintenance Programme and Budget

- 5.1 The Headteacher, in consultation with the Academy Council, shall draw up a repairs and maintenance programme, to be reviewed annually at the first Academy Council meeting of the calendar year. When preparing its annual expenditure budget for submission to the Trust Central Team, the Headteacher and Academy Council should consider the likely need to spend money on the repair and maintenance of academy premises during the academic year to which the budget relates and must ensure its proposed budget includes a realistic repair and maintenance element. The Trust Central Team and the Trust Board are entitled to challenge all aspects of an academy's proposed budget and to insist on amendments thereto.

Scheme of Delegation – Appendix 5 – Academy Council Constitutions

Academy Councils may be constituted in line with one of the following models:

1. Constitution Model A (available to primary and secondary academy councils)

Governor Category	Number of Positions	How elected/appointed
Executive Headteacher/Headteacher/Principal	1	Ex-officio
Foundation Governor	5	Appointed by the Bishop
Parent Governor	1	Parent election organised by the Academy Council
Staff Governor	1	Staff election organised by the academy
Total	8	

2. Constitution Model B (available to secondary academy councils only)

Governor Category	Number of Positions	How elected/appointed
Executive Headteacher/Headteacher/Principal	1	Ex-officio
Foundation Governor	6	Appointed by the Bishop
Parent Governor	2	Parent election organised by the Academy Council
Staff Governor	1	Staff election organised by the academy
Total	10	

Note: In the absence of the Executive Headteacher from a meeting of the Academy Council, he/she may nominate the Head of School to attend as substitute and have voting rights.