

Nicholas Postgate
Catholic Academy Trust
Scheme of Delegation



Forming lives ready to face the future

Revised – November 2019

Abbreviations

CEO	Chief Executive Officer
CPD	Continuing Professional Development
DfE	Department for Education
ESFA	Education & Skills Funding Agency
LA	Local Authority
NPCAT	Nicholas Postgate Catholic Academy Trust

Definitions

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

- i. 'Academy Trust' means the Trust named at the beginning of this Scheme of Delegation and includes all sites upon which the Academy Trust undertaking is, from time to time, being carried out;
- ii. 'Articles of Association' means the articles of association of the Nicholas Postgate Catholic Academy Trust Company (adopted by special resolution on 1st August 2018 and available on the Trust website);
- iii. 'Bishop' means the Bishop of the Roman Catholic Diocese of Middlesbrough 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 Nicholas Postgate Catholic 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 of the Trust Company or the Chair of the Local Governing Body of the School appointed from time to time, as appropriate;
- vii. 'Clerk' means the Clerk to the Board of Directors of the Trust Company and/or the Clerk to the Local Governing Body of the School appointed from time to time, as appropriate, and includes a joint, assistant or deputy clerk;
- viii. 'Delegated Functions' means the functions delegated by Nicholas Postgate Catholic Academy Trust Company in accordance with the table at Appendix 1;
- 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 appointed to the Board of the Nicholas Postgate Catholic 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 School(s), as appropriate;
- xiii. 'Governors' means the governors appointed and elected to the Local Governing Body of the School(s), from time to time;
- xiv. 'Local Governing Body' means any committee established by the Directors pursuant to Article 100 of the Articles of Association to carry out specific functions in relation to a school or schools 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 Academies and, for all purposes, means the employer of staff at the School;
- xvii. 'Principal' means the headteacher or executive headteacher as the case may be and is the person named as the headteacher of the school or schools 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. 'School(s)' means the Academy or Academies who form part of the Multi-Academy Trust and are managed by the Nicholas Postgate Catholic Academy Trust Company;
- xxi. 'Trust Company' means the Nicholas Postgate Catholic Academy Trust Company;
- xxii. 'Vice-Chair' means the Vice-Chair of the Board of Directors or the Vice-Chair of the Local Governing Body of the School(s) elected from time to time, as appropriate.

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1 Governance of the Nicholas Postgate Catholic Academy Trust (NPCAT) Company

- 1.1 This Scheme of Delegation has been adopted by the Directors from the Effective Date in accordance with the provisions of the Nicholas Postgate Catholic 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 Trust Company's Articles of Association.
- 1.2 As a charity and company limited by guarantee the Trust Company is governed by the Board of Directors who are responsible for, and oversee, the management and administration of the Trust Company and the schools run by the Trust Company. The Directors have overall responsibility and ultimate decision-making authority for all the work of the Trust Company. These responsibilities are largely carried out through strategic planning and the setting of policy.
- 1.3 As the schools are Catholic schools, designated as such, the Directors are accountable to the Bishop to ensure that the schools are conducted as a Catholic school in accordance with Canon law and the teachings of the Roman Catholic Church so that, at all times, the Trust and its academies 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 school(s). 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 School and any other associated policies and protocols.
- 1.6 This Scheme of Delegation, particularly the table at Appendix 1, explains the ways in which the Directors fulfil their responsibilities for the leadership and management of the School, the respective roles and responsibilities of the Directors and the Governors and their commitments to each other to ensure the success of the School 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 Trust's mission is as follows:

"Within the Nicholas Postgate Catholic Academy Trust we envisage learning taking place in communities inspired by the Spirit of Christ. Where Christ's commandment to love God and neighbour inspires a caring ethos which is expressed in relationships within and beyond our schools. All our schools promote the dignity, self-esteem and full development of each person who is made in God's image and uniquely loved by God. All our schools are inclusive and are respectful of, and engage with people of all beliefs. Our schools are communities of Faith, Service, Prayer and Worship. Within our schools we have a culture of tolerance where people of diverse identities are recognised, welcomed, respected and cherished. We seek to make a difference to all groups of children, especially ensuring the most vulnerable in our society are not disadvantaged. Our Schools work in partnership with families and parishes to promote strong, positive links. Every school in the Trust is on a journey of continual improvement, aspiring for excellence year-on-year."

2.2 The schools which form the Nicholas Postgate Catholic Academy Trust are designated Catholic schools and as such, they and the Trust are conducted in accordance with Canon law and the teachings of the Roman Catholic Church. None of the schools within the Trust are wholly or partly selective.

2.3 Each school will seek to ensure that it develops and maintains strong relationships with the other academies in the Trust Company, as well as other schools, agencies and businesses in the local community.

3 Members' Powers and Responsibilities

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

4 Directors' Powers and Responsibilities

4.1 The Directors have a duty to act in fulfilment of the Nicholas Postgate Catholic 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 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 all the schools for which the Trust Company is responsible in deciding and implementing any policy or exercising any authority in respect of an individual or group of schools.

- 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 functions. 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 School(s) 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 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 School(s) 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 1.

5 Constitution of the Multi-Academy Trust Company

- 5.1 The initial members of the Nicholas Postgate Catholic 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 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.

6 Constitution of the 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 2. 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 attend any meeting(s) of a Local Governing Body as an observer where agreed by the Board of Directors that

this would be in the best interests of that school and the Trust. In this capacity the respective Director would not count towards the quorum of that meeting and would have no entitlement 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 Nicholas Postgate Catholic 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

- 6.2.1.1 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 School(s) and the 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 School(s) 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 Trust Company and who work at the School(s) (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 School(s) and he or she must be a parent of a pupil at the School(s) 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 School(s). 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 school by a registered pupil at the school.
- 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 School(s) 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 School(s), 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

- 6.3.1 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 Governor, 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 Trust Company and/or the School, 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 School(s) ceases to work at the school 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 School.
- 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 School 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 School(s) 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
 - 6.5.8.6 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 at Appendix 1.
- 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

6.7a 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 panel or working group 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 panel or working group 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:
- 6.7.17.2 the draft minutes of every such meeting, if they have been approved by the person acting as Chair of that meeting;
 - 6.7.17.3 the signed minutes of every such meeting; and
 - 6.7.17.4 any report, document or other paper considered at any such meeting, are, as soon as is reasonably practicable, made available at the school(s) 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 School;
 - 6.7.18.2 a named pupil at, or candidate for admission to, the School; 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.

6.7b 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.

6.7c 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, Panel, 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 panel, any Director or member of the Local Governing Body, the Principal or any other holder of an executive office, that person or group 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.

6.7d Committees of the Local Governing Body

- 6.7.25 Subject to this Scheme of Delegation, the Local Governing Body may not establish any subcommittee.

6.7e Chair and Vice-Chair of the Local Governing Body

- 6.7.26 The members of the Local Governing Body shall, each academic 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 Trust Company whether or not at the School(s);
 - 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 Trust Company whether or not at the School 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.

6.7f 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 School(s)' compliance with the Articles of Association, 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.

6.7g 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 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 school(s) and the 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 6.7.41, a person has a Personal Financial Interest if he/she is in the employment of the Trust Company or is in receipt of remuneration or the provision of any other benefit directly from the Trust Company or in some other way is linked to the Trust Company or the school(s).
- 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 shall be referred to the CEO in the first instance and then to Directors for their determination if the disagreement remains unresolved.

6.7h 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 Trust Company acting in relation to the School(s) shall be indemnified out of the assets of the 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 Trust Company, subject to the limitation of s.189 of the Companies Act 2011.

6.7i 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 Level, 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 at Appendix 1, which deals 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 Nicholas Postgate Catholic 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 Trust Company and the School(s) 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 School(s), and the 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 School(s) is/are being conducted in accordance with canon law and is/are following the practices and teachings of the Catholic Church and in order to allow the Bishop to assess how well the School(s) is/are 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 Trust Company and/or the School(s);
- 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 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 Interim Advisory Board

- 8.1 Where the Directors deem it appropriate to remove all the powers of the Local Governing Body, in respect of paragraph 7.5, an Interim Advisory Board (IAB) will be put in place. At the discretion of the Board of Directors, the governors serving on the Local Governing Body may be invited individually or collectively to serve as part of the IAB if their expertise and/or skills are thought to be of benefit to the IAB's role.
- 8.2 The constitution of the Interim Advisory Board will be decided by the Board of Directors with due consideration and in the light of the principles set out in paragraphs 1.3, 1.4 and 1.5, and with regard to the need for foundation governors to exceed other governors by two as set out in paragraph 6.2.1.1.
- 8.3 The appointment of the Chair of an Interim Advisory Board will be subject to the approval of the Board of Directors and, at the discretion of the Board, not subject to the restrictions in paragraph 6.7.29.2 or 6.7.32 regarding the use of a Trust employee, or paragraph 6.1.5 regarding the use of a Director to fulfil the role. In approving the appointment of the Chair of an IAB the Board will give due consideration to any potential conflicts of interest as set out in paragraphs 6.7.41 and 6.7.42.
- 8.4 The removal of the Chair of an Interim Advisory Board can only be carried out by the Board of Directors and is not subject to the processes for removal of the Chair of a Local Governing Body as set out in paragraph 6.7.12.3.

9 Review of the Scheme of Delegation

- 9.1 This Scheme of Delegation shall operate from the Effective Date in respect of the School(s).
- 9.2 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).
- 9.3 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.

Appendix 1 – Table of Roles and Responsibilities

Roles and Responsibilities Key

√ = approve A = provide advice and support to those accountable for decision making
 Documents: AA = Articles of Association, SD = Scheme of Delegation, TR = Terms of Reference

PEOPLE						
Decision	Delegation					
	Members	Trust Board	CEO/ Exec. Team	LGB	Head	Document Reference
Members' appoint	√					AA12 AA12A AA16
Foundation Trustees: appoint	√					AA45 AA50 SD1.5
Co-opted Trustees: appoint		√				AA58 SD1.4
Role descriptions for members	√					AA46 SD3.1
Role descriptions for Trustees/Chair/ Specific roles/committee members: agree		√	A			AA46-58 AA82-85 AA93-95 AA101 SD4.4 SD6.1 SD8.2
Foundation governor: appoint	Diocese					AA50 SD1.5 SD6.1.4 SD6.2.1.1
Parent governor: elected by parents				√		AA53-56 SD6.2.3 SD6.4.4
Staff governor: elected by staff					√	SD6.2.2 SD6.4.3
Committee and LGB Chairs: appoint		√		A		AA100 SD6.7.26 TR4.1 TR9.1
Vice-Chair of LGB: appoint				√		SD6.7.26
IAB members: appoint		√	A			SD1.4 SD8.1 SD8.2 SD8.3
Clerk to the Board: appoint and remove		√	A			AA81 AA105Ad SD6.7

SYSTEMS AND STRUCTURES						
Decision	Delegation					
	Members	Trust Board	CEO/ Exec. Team	LGB	Head	Document Reference
Articles of Association: agree and review	√	A	A			AA93 AA105A SD3.1
Scheme of Delegation: establish and review annually or when there is a change in school performance		√	A			AA137 SD9.2 SD9.3

SYSTEMS AND STRUCTURES Cont'd						
Decision	Delegation					
	Members	Trust Board	CEO/ Exec. Team	LGB	Head	Document Reference
Governance Structure (committees) for the Trust: establish and review annually		√	A			AA101 AA104 AA137 SD1.4 TR1.6.27 TR3.16
Terms of Reference for Trust committees (including audit if required): agree annually		√	A			AA100-102 AA137 SD1.4 TR1.6.23 TR1.6.27 TR2.4.9 TR3.23
Terms of Reference for the LGB: agree and review annually		√	A			AA101-102 AA137 SD1.4 TR4.2.12
Terms of Reference for the IAB: agree and review at least annually		A	√			AA101-102 AA137 SD1.4 TR9.2
Skills Audit: complete and recruit/develop to fill gaps		√	A	√	A	SD6.6.2 SD7.2
Annual self-review of Trust Board and Committee performance: complete annually		√	A			AA137 TR1.6.23 TR1.6.26 TR2.3.3 TR2.4.6 TR3.20
Annual self-review of LGB performance: complete annually			√	A		SD1.4 SD6.6.2 SD7.2 TR4.2.12 TR7.4
Annual self-review of IAB performance: complete annually			√	A		SD1.4 SD6.6.2 SD7.2 TR9.2
Trustee / Committee member contribution: review annually		√	A			SD1.5
Governor member contribution: review annually				√	A	SD6.6.2 SD7.2
Succession Planning		√	A	√	A	AA137 SD6.6.2 SD7.2
Annual schedule of business for Trust Board: agree		√	A			AA93 AA108 AA126 SD4.3
Annual schedule of business for LGB: agree		A	A	√	A	AA102 AA108 SD4.3 SD6.6.2 SD6.7 SD7.2 TR4.2.5 TR4.2.6 TR4.2.7 TR4.3.5 TR4.3.13 TR7.4
Annual schedule of business for IAB: agree		A	√	A	A	AA102 AA108 SD4.3 SD6.6.2 SD6.7 SD7.2 TR9.2

PRESERVE AND DEVELOP THE RELIGIOUS MISSION						
Decision	Delegation					
	Members	Trust Board	CEO/ Exec. Team	LGB	Head	Document Reference
Have oversight of the preservation and development of the Catholic and educational character, mission and ethos of the Trust.		√	A	√	A	AA4 AA6 AA105Aa SD1.3 SD1.5 SD2.2 SD4.5 SD6.1.6 SD6.6.2 SD7.5.1 TR1.1 TR1.6.4 TR5.3 TR9.3.1 TR9.3.2 TR9.6.2.1
Approve measures where there are shortcomings or any risk to the Catholic or educational character of the Trust's reputation.		√	A			AA137 SD1.3 SD1.5 SD4.2 SD6.6.2 TR1.1 TR1.6.4 TR9.3.6
Preserve and develop the Catholic and educational character, mission and ethos of the Trust		√	√	√	√	AA4 AA105Aa SD1.3 SD1.5 SD2.2 SD4.5 SD6.6.2 SD7.5.1 TR1.1 TR1.2 TR1.6.4 TR4.2.1 TR4.2.4 TR9.4-5
Attend any diocesan, or other provider's, induction training as required by the Diocese			A	√	√	SD1.5 SD6.6.2
Monitor each school's medium to long-term position in terms of their future viability as Catholic schools	√	√	A			AA4 AA137 SD4.2 TR1.1 TR1.3 TR1.6.10 TR1.6.12 TR1.6.19 TR3.4
Oversee the delivery on the individual school's communication activities in line with Trust guidance			A	A	√	SD6.6.2 SD7.5.1 TR4.2.14 TR4.2.15 TR4.2.16 TR4.2.17
Oversee the delivery of the Trust's public relations activities			√	A	A	SD4.5 SD6.6.2 SD7.5.1
Implement the Catholic and educational character, mission and ethos of the schools	A	A	A	A	√	AA4 AA5 SD1.4 SD2.2 SD6.6.2 SD7.5.1 TR1.3
Adopt and agree the Trust's Admissions Policy (in line with Diocesan guidance)		√				SD1.5 TR1.5
Implement the Trust's Admissions Policy			√	√	√	SD1.4 SD1.5 SD6.6.2 SD7.2 TR4.3.9

PRESERVE AND DEVELOP THE RELIGIOUS MISSION Cont'd						
Decision	Delegation					
	Members	Trust Board	CEO/ Exec. Team	LGB	Head	Document Reference
Determine individual school Admissions Policies in line with the Catholic and strategic needs of the Trust			√	√	A	SD1.4 SD1.5 SD4.5 SD6.6.2 SD7.2 TR4.3.9
Comply with the Admissions Code regarding publication of admission arrangements		√	√	√	√	SD1.3 SD4.5 SD6.6.2 TR1.5 TR4.3.9
Ensure schools fulfil the Bishop's Conference requirements for the teaching of Religious Education		√	√	√	√	AA5B SD1.4 SD1.5 SD4.5 SD6.6.2 SD7.2 SD7.5.1 TR1.2 TR1.5

REPORTING						
Decision	Delegation					
	Members	Trust Board	CEO/ Exec. Team	LGB	Head	Document Reference
Trust governance details on Trust and Schools' websites: ensure		√	A			
School governance details on school website: ensure			A	√	A	
Register and publish business interests for members and trustees.		√	A			SD6.7g TR3.7
Annual report on performance of the Trust: submit to members and publish		√	A	A	A	AA109 AA130 TR1.6.26 TR2.4.6 TR3.20
Annual report and accounts (policies, signed statement on regularity, propriety and compliance, governance statement demonstrating value for money: submit		√	A			TR1.6.26 TR2.4.6 TR2.2.8 TR3.7 TR3.12 TR3.18-21
Annual report on the work of LGB/IAB: submit to Trust Board and publish			√	A		SD4.3 SD4.4 SD4.5 SD6.6.1 SD6.7 SD6.7c SD7.5 TR3.16 TR3.17 TR4.2.16 TR4.3.13 TR9.3.3

BEING STRATEGIC						
Decision	Delegation					
	Members	Trust Board	CEO/ Exec. Team	LGB	Head	Document Reference
Determine trust policies reflecting Trust’s Catholic identity, ethos and values (consultation with unions where appropriate)	A	√	A		A	AA5Aa SD1.2 SD1.3 SD2.2 TR1.1 TR1.2 TR1.6.1 TR1.6.21 TR1.7 TR2.2.10 TR2.3.2 TR2.3.4 TR2.3.6 TR2.4.11 TR3.24
Central Spend / GAG pooling policy, including appeals: agree		√	A			TR2.1.2 TR2.2.7 TR2.2.9
Management of risk: establish register, review and monitor (Strategic: Trust, Operational: School)		√	A	√	A	AA5Cp SD6.7h TR1.6.26 TR2.4.10 TR3.4 TR3.5 TR3.6 TR4.3.12
Engagement with stakeholders	√	√	√	√	√	SD2.3 TR1.4 TR4.2.14 TR4.2.15 TR4.2.16 TR4.2.17 TR9.3.6
Trust’s vision and strategy, agreeing key priorities and key performance indicators (KPIs) against progress towards achieving the vision can be measured: determine		√	A	A	A	SD4.2 TR1.2 TR1.3 TR1.6.1 TR1.6.3 TR1.6.8 TR1.6.9 TR1.6.10 TR 1.6.13-17 TR5.3
School’s vision and strategy, agreeing key priorities and key performance indicators (KPIs) against progress towards achieving the vision can be measured: determine		A	√	A	A	SD6.6.2 TR1.2 TR1.6.1 TR1.6.3 TR1.6.13-17 TR4.2.1 TR4.2.5 TR4.2.8 TR4.3.2 TR9.3.4 TR9.5 TR9.6.1.1-2 TR9.6.2.6
Annual Budget Plan to support delivery of Trust key priorities: agree		√	A	A	A	TR2.2.2 TR3.19 TR4.2.6 TR4.3.5 TR5.5 TR6.3 TR9.6.4
School Annual Budget Plan: Ensure resources delegated by the Trust are directed towards meeting school improvement priorities			√	A	A	TR4.2.11 TR4.3.3 TR4.3.4 TR4.3.5

HOLDING TO ACCOUNT						
Decision	Delegation					
	Members	Trust Board	CEO/ Exec. Team	LGB	Head	Document Reference
Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment): agree	√ (appointment of external auditors only)	√	A	A	A	AA131 TR1.5 TR2.2.1 TR3.13 TR2.4.7 TR3.1-2 TR3.8-10 TR3.21 TR4.3.14-15 TR9.6.2.7
Reporting arrangements for progress on key priorities: agree		√	A	√	A	TR3.11 TR4.3.4
Performance management of the CEO: undertake with external adviser		√				TR2.3.9
Performance management of Executive Team			√			TR2.3.10 TR2.3.11 TR6.4
Performance management of School Headteacher: undertake			√			TR2.3.12 TR4.2.7 TR5.4 TR9.6.3.2
Performance management of School Senior Leadership Teams			A		√	TR2.3.3 TR2.3.12 TR4.2.7 TR4.3.8 TR7.2 TR9.6.1.3 TR9.6.3.2
Trustee monitoring: agree arrangements		√	A			AA12 AA12A AA45-46 AA50 AA50A AA50B AA50C AA58 AA64 AA67 AA105A AA105AA SD1.5 SD4.1 SD5.2
LGB membership		√	A	A	A	AA100-104 SD1.4-5 SD6.1-2 TR7.4 TR9.3.3
Develop and implement Trust-wide safeguarding arrangements including all appropriate policies		√	A			TR5.2
Develop and implement individual school safeguarding arrangements including all appropriate policies				√	A	SD7.2 TR1.6.21 TR4.2.2 TR4.3.1 TR4.3.11 TR7.3 TR9.3.8

HOLDING TO ACCOUNT Cont'd						
Decision	Delegation					
	Members	Trust Board	CEO/ Exec. Team	LGB	Head	Document Reference
Monitor and review safeguarding arrangements including all appropriate policies		√	√	√	√	SD7.4 TR1.6.21 TR4.2.2 TR7.3
Ensure needs of SEND and LAC pupils are met			√	√	√	TR1.6.11 TR4.2.8 TR9.7.2
Monitor and review provision for SEND and LAC pupils			√		√	SD7.4 TR1.6.11 TR1.6.18 TR9.7.2
Oversee the development and maintenance of the Trust's Estates Management Strategy, Compliance and Investment Plan, ensuring the safety of premises and estates		√	A			TR2.2.1 TR2.2.8 TR2.4.1-4
Oversee the development and maintenance of the School's Estates Management and Compliance Plan, ensuring the safety of premises and estates, with local investment priorities identified to the Trust for consideration			A	√	A	TR2.2.1 TR2.2.8 TR2.4.2 TR4.2.1 TR4.2.9 TR4.3.12 TR9.6.2.7 TR9.7.1

ENSURING FINANCIAL PROBITY						
Decision	Delegation					
	Members	Trust Board	CEO/ Exec. Team	LGB	Head	Document Reference
COO for delivery of the Trust's detailed accounting processes: appoint		√	A			
Trust's financial policies and procedures		√	A			AA6.1 AA105A AA137 TR2.1.1 TR2.2.1 TR2.2.10

ENSURING FINANCIAL PROBITY Cont'd						
Decision	Delegation					
	Members	Trust Board	CEO/ Exec. Team	LGB	Head	Document Reference
Trust's scheme of financial delegation: establish and review		√	A			AA94-96 AA105A AA137 TR2.1.1 TR6.3 TR6.4
External auditor's report: receive and respond		√	A		A	AA105A SD1.3 TR2.1.1 TR3.7 TR3.8
Internal auditor's report: receive and respond		√	A	A	A	AA105A SD1.3 SD1.4 SD4.5 SD6.6.2 SD7.2 TR2.1.1 TR3.3 TR3.8 TR4.3.4
Headteacher and Executive Headteacher pay award: agree		√	A			SD6.6.2 TR2.3.8 TR2.3.12
School Deputy and Head of School pay award: agree		√	A		A	SD6.6.2 TR2.3.8 TR2.3.12
All other school teaching staff pay progression: agree		√	A		A	SD1.4 SD4.5 SD6.6.2 SD7.2
Trust support staff appraisal and pay progression: agree			√		A	SD1.4 SD4.5 SD6.6.2 SD7.2
Approve Executive Officer's Performance Management, Pay and Appraisal Framework (CEO, COO, SSO)		√	A			AA137 TR2.1.1 TR2.3.9-11 TR6.4
Benchmarking and trust-wide value for money: ensure robustness		√	A			AA137 TR2.1.1 TR2.4.8 TR3.15 TR3.22 TR6.3 TR6.4
Benchmarking and school value for money: ensure robustness			√	A	A	AA137 SD1.4 SD4.5 SD6.6.2 SD7.2 TR2.4.8 TR6.3 TR6.4
Develop trust-wide procurement strategies and efficiency savings programme		√	A		A	AA137 TR2.1.1 TR2.1.2

ENSURING CLEAR AND ROBUST HUMAN RESOURCES POLICIES AND PROCEDURES						
Decision	Delegation					
	Members	Trust Board	CEO/ Exec. Team	LGB	Head	Document Reference
Approve terms and conditions of employment for all staff		√	A		A	AA105B AA105C TR2.3.1 TR2.3.13 TR4.2.11 TR4.3.6
Implement, monitor, review and propose amendments to the HR policies		√	A		A	AA137 TR2.3.5
Suspend staff following HR policies (in line with the above)		√	√		√	AA105B AA105C SD1.4 SD4.5 SD6.6.2 SD7.2 TR5.7
Approve any leaving payments (redundancy, dismissal, early retirement) in accordance with Trust policy.		√	√		A	AA105A
Appointment of CEO		√				AA105AA AA107
Appointment of other Executive Officers (COO, SSO)		√	A			AA105C AA106 TR2.3.8 TR5.6
Appointment of all other trust central staff			√			AA105C AA106 TR5.6
Appointment to "Reserved" school posts (Head teacher or executive Head teacher, Deputy Head Teacher, Chaplain and Head of R.E.)		√	√	A		Diocesan Protocol AA105AA AA107 SD1.4 SD1.5 TR2.3.8 TR5.6 TR9.6.1.8
Appointment of all other senior leadership team posts			√	A	A	AA105C AA106 SD1.4 SD6.6.2 TR2.3.8 TR5.6 TR7.6 TR9.6.1.8
Appointment of all other school posts (subject to respective HR and Finance agreement)			A	A	√	AA105C AA106 SD1.4 SD4.5 SD6.6.2 TR6.2 TR7.6 TR9.6.1.8
Implement dismissal and dismissal appeal hearings for Reserved and Executive Officer posts		√	A (Unless relates to CEO)			Diocesan Protocol AA105B A105C

Appendix 2 – Constitution of the Local Governing Body

NPCAT Model Local Governing Body Constitution

1. The name of the School(s) is [INSERT NAME].
2. The School(s) is/are part of the Catholic Church and is/are to be conducted as a Catholic academy in accordance with Canon law and the teachings of the Roman Catholic Church and in accordance with the Trust Deed of the Diocese of Middlesbrough and in particular:
 - a) Religious education is to be in accordance with the teachings, doctrines, disciplines and general particular norms of the Catholic Church;
 - b) Religious worship is to be in accordance with the rites, practices, disciplines and liturgical norms of the Catholic Church; and
 - c) At all times the School(s) is/are to serve as a witness to the Catholic faith in Our Lord Jesus Christ.
3. The School is a member/Schools are members of Nicholas Postgate Catholic Academy Trust.
4. The name of the Local Governing Body is [INSERT NAME OF THE LOCAL GOVERNING BODY]
5. The Local Governing Body shall consist of 10 members of which there shall be:
 - 6 x Foundation
 - 1 x Executive Head Teacher or Head Teacher
 - 2 x Parents
 - 1 x Staff, or where this can't be filled, a co-opted appointment
6. The Bishop of Middlesbrough shall have the right to appoint Foundation Governors who shall be appointed in accordance with Diocesan protocol.
7. The term of office of Foundation Governors is 4 years.