
Terms of Reference

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1. Introduction

Kingston Educational Trust has created a number of committees. Their constitution, proceedings, functions and responsibilities are set out in this document.

In accordance with its Articles of Association, the trust board exercises all of the powers of Kingston Educational Trust. Where it has chosen to delegate powers or functions to any committees (or to individual trustees or executive officers (including head teachers)), these are set out in the Scheme of Delegation. Any delegation is subject to conditions that the trust board may choose to impose, and may be revoked or altered at any time.

In addition, approval of trust or school policies may be delegated by the trust board to committees, as set out in the Policy Review and Delegation Schedule.

Where any action or decision is taken under a delegated power or function, this should be reported to the trust board at its next meeting.

The establishment, terms of reference, constitution, proceedings and membership of its committees will be reviewed by the trust board at least once in every twelve months.

2. Chair's Action: Power to act in cases of urgency

In the event of urgent decisions or actions needing to be made between meetings and where:

- it is not practicable to convene an extraordinary meeting of the Board (either in person or virtually); and
- the action/decision is one which can legally be delegated to an individual

the Chair may take appropriate action on behalf of the Board.

For the purposes of a Chair's action a matter is urgent if they believe that not acting now will be seriously detrimental to:

- a school, or the trust; or
- any pupil or their parent, or
- a member of staff.

In the absence of the Chair, the power may be exercised by the Vice-Chair.

3. General Responsibilities (all committees)

- 3.1. **Risk:** To keep those risks that fall within the remit of the committee under review and to monitor the progress of actions and the effectiveness of mitigation, as identified in the Trust or School Risk Registers.
- 3.2. **Trust Development and Improvement Plan:** To monitor, progress and evaluate the effectiveness of the priorities allocated to the committee within the Trust Development and Improvement Plan.
- 3.3. **Policies:** To approve, adopt and monitor the effectiveness of those policies delegated to the committee from time to time as set out in the Trust's Policy Review and Delegation Schedule.
- 3.4. When making decisions and undertaking all committee functions to have regard to:
 - **Safeguarding:** the need to consider the welfare of pupils and to act in their best interests at all times;
 - **Equality Act 2010:** any equalities implications in line with Public Equality Duties;
 - the Trust's Values and Principles; and
 - the Framework for Ethical Leadership in Education.

4. Finance and Resources (including audit and risk)

Membership	<ul style="list-style-type: none"> ● Six members appointed by the trust board ● May include non-trustees for their skills and experience (known as trust associates), provided that the majority of committee members are trustees ● Committee chair and vice chair to be appointed annually by the trust board ● Committee chair to be a trustee. <p>Disqualifications:</p> <ul style="list-style-type: none"> ● The chair of the trust board should not be chair of this committee (whilst audit is combined within the functions of this committee). ● When audit matters are discussed, any committee members who are employees of the trust, will not participate as members of the committee. <p>The Executive Director and Chief Financial Officer will attend meetings.</p>
Frequency of meetings	Six meetings a year (one each half term) in accordance with the trust's Annual Meeting Schedule.
Attendance and acting roles	<ul style="list-style-type: none"> ● Any trustee may attend and speak at any committee meeting ● Committee meetings are not open to the public ● In the absence of the chair, the vice chair will act as chair. In the absence of both, the chair of the trust board will appoint either another committee member or any trustee to act as chair for that meeting. ● In the absence of the governance professional, the committee will choose one of its members to minute the meeting.
Quorum	<p>Three members of the committee, to include:</p> <ul style="list-style-type: none"> ● the committee chair; or where they are unable to attend any meeting ● the vice chair; or where both the chair and vice chair are unable to attend a meeting ● the acting chair appointed for that meeting by the chair of the trust board
Voting	Any decisions taken must be determined by a majority of the votes of the committee members present (including both trustees and trust associates) and any trustee appointed as acting chair for that meeting. In the event of a split vote, the committee chair (or acting chair) will have the deciding vote.
Working Groups	The committee may establish an advisory working group from its members as it sees fit, but this group will not have any delegated decision making powers.
Professional advice	The committee is authorised to obtain independent professional advice if it considers this necessary.

4.1. Buildings

- 4.1.1. To monitor arrangements for repairs and maintenance, procuring and maintaining buildings and land within the Trust estate, including developing a properly funded maintenance, renewal and improvement plan.
- 4.1.2. To advise the trust board on priorities for the maintenance and development of the Trust estate, so that it is developed strategically and maintained in a safe working condition.
- 4.1.3. To monitor and review premises-related funding bids.

- 4.1.4. To monitor and review arrangements for the use of school premises by outside users.

4.2. **Finance and Resources**

- 4.2.1. To consider budget monitoring reports on the Trust's and schools' financial position at every meeting and of the action to contain expenditure within the budget, monitoring compliance with the overall financial plan, and with the financial regulations of the DfE, reporting and drawing any matters of concern to the attention of the trust board.
- 4.2.2. To review key performance and benchmarking data on a regular basis.
- 4.2.3. To consider the Trust's indicative funding, notified annually by the DfE, and to assess its implications for the Trust and its schools, in consultation with the Executive Director, Chief Financial Officer and Headteachers, in advance of the financial year, drawing any matters of significance or concern to the attention of the trust board.
- 4.2.4. To receive and make recommendations on the broad budget headings and areas of expenditure to be adopted each year, including the level and use of any contingency fund or balances, ensuring the compatibility of all such proposals with the priorities set out in the Trust and Academy Development and Improvement Plans.
- 4.2.5. To contribute to the formulation of the Trust and Academy Development and Improvement Plans, through the consideration of financial priorities and proposals, in consultation with the Chief Financial Officer, Executive Director and Headteachers, within the stated and agreed aims and objectives of the Trust and its academies.
- 4.2.6. To review and recommend acceptance of the Trust's 3 year budget forecast to the trust board, prior to the deadline for submission to the EFSA.
- 4.2.7. To review the virement of sums between and within budget headings in accordance with the Scheme of Delegation
- 4.2.8. To make decisions in respect of service agreements, contracts and insurance (buildings and public liability) in accordance with the Scheme of Delegation.
- 4.2.9. To be responsible for approving dismissal payments/payments for early retirement in accordance with the Scheme of Delegation.
- 4.2.10. To authorise the disposal of individual items of equipment and materials that have become surplus to requirements, unusable or obsolete in accordance with the Scheme of Delegation.
- 4.2.11. **Voluntary Funds:** To monitor expenditure of all voluntary funds kept on behalf of the Trust Board and its schools.
- 4.2.12. **Assets:** To maintain an overview of and ensure an up-to-date asset register is maintained for each school within the Trust, together with an annual inventory. Ensuring that there are independent checks of assets and the asset register.

4.3. **Audit and Risk**

To report to the Board on the adequacy of financial and other controls and risk management arrangements, to direct a programme of independent and objective internal scrutiny and to consider the results and quality of external audit:

- 4.3.1. To review the Trust's internal and external financial statements and reports to ensure that they reflect best practice.
- 4.3.2. To agree a programme of work annually to deliver internal scrutiny that provides coverage across the year.
- 4.3.3. To review the Trust Risk Register to inform the programme of work, ensuring checks are modified as appropriate each year in response to risk.
- 4.3.4. To receive internal and external auditors' reports and the response to any management letters and to keep outstanding actions under review.
- 4.3.5. To recommend to the trust board action as appropriate in response to audit findings.

- 4.3.6. To discuss with the external auditor the nature and scope of each forthcoming audit and to ensure that the external auditor has the fullest cooperation of staff.
 - 4.3.7. To consider all relevant reports by the appointed external auditor, including reports on the Trust's accounts, achievement of value for money and the response to any management letters and to keep outstanding actions under review.
 - 4.3.8. To consider and advise the board on the Trust's annual and long-term audit programme.
 - 4.3.9. To evaluate the effectiveness and resources of the external auditors and recommend to the trust board the appointment or dismissal or retendering of the auditors (external auditors are appointed by the Members and are to be retendered at least every 5 years).
 - 4.3.10. To keep under review the effectiveness of the Trust's financial procedures and internal control system to minimise the risk of fraud.
 - 4.3.11. To maintain oversight to ensure information submitted to DfE and ESFA that affects funding, including pupil number returns and funding claims (for both revenue and capital grants) completed by the Trust is accurate and in compliance with funding criteria.
 - 4.3.12. To prepare the trust statements to form part of the Annual Report of the trust board for filing in accordance with Companies Act and Charity Commission requirements.
 - 4.3.13. To report at least once a year to the Board on the discharge of the above duties.
- 4.4. Human Resources**
- 4.4.1. To keep school staffing structures under review in consultation with the Executive Director and Headteachers and to ensure that schools are staffed sufficiently for the fulfilment of the relevant Academy Development and Improvement Plan and the effective operation of the school.
 - 4.4.2. To oversee the appointment procedure for all staff, ensuring there are adequate arrangements in place to complete pre-employment checks and that these conform with safer recruitment requirements and that all staffing procedures including recruitment follow equalities legislation.
 - 4.4.3. To ensure that all principles of good and fair employment practice are adhered to and that legal requirements are fulfilled.
 - 4.4.4. To keep under review staff work/life balance, working conditions and well-being and to monitor staff deployment, absence, recruitment, retention and morale.
 - 4.4.5. To monitor procedures for staff discipline, grievance and whistle blowing and to ensure that staff are kept informed of these.
 - 4.4.6. To approve and review the process leading to staff reductions.
 - 4.4.7. To review the operation of the Trust's Code of Practice for trustees and Codes of Conduct for staff.
- 4.5. Health and Safety**
- 4.5.1. To monitor and keep under review health and safety compliance and emergency procedures across the Trust, including the systems for risk assessment.
 - 4.5.2. To ensure that health and safety issues are appropriately monitored, prioritised and adequately funded by the trust board.
 - 4.5.3. To oversee arrangements for educational visits, including the appointment of a named coordinator.
- 4.6. Data Protection**
- 4.6.1. To monitor compliance with data protection requirements.
 - 4.6.2. To receive a termly report from the Data Protection Officer (including an update on any breaches and steps taken to mitigate risk).

4.7. Cybercrime

Ensure that proportionate controls are in place to mitigate the risk of cybercrime to the organisation.

5. Local Academy Committees (one appointed for each school within the Trust)

Membership	<ul style="list-style-type: none"> ● Up to ten members including: <ul style="list-style-type: none"> ○ two parents elected by parents of pupils at the school ○ one member of staff working at the school and elected by other employees at the school ○ seven appointed by the trust board. ● Members who are not trustees are known as trust associates. ● Committee chair and vice chair to be appointed annually by the trust board. ● Committee chair to be a trustee. <p>The Head teacher will attend meetings.</p>
Frequency of meetings	Six meetings a year (one each half term) in accordance with the trust's Annual Meeting Schedule.
Attendance and acting roles	<ul style="list-style-type: none"> ● Any trustee may attend and speak at any committee meeting ● Committee meetings are not open to the public ● In the absence of the chair, the vice chair will act as chair. In the absence of both, the chair of the trust board will appoint either another committee member or any trustee to act as chair for that meeting. ● In the absence of the governance professional, the committee will choose one of its members to minute the meeting.
Quorum	<p>Three members of the committee, to include:</p> <ul style="list-style-type: none"> ● the committee chair; or where they are unable to attend any meeting ● the vice chair; or where both the chair and vice chair are unable to attend a meeting ● the acting chair appointed for that meeting by the chair of the trust board
Voting	Any decisions taken must be determined by a majority of the votes of the committee members present (including both trustees and trust associates) and any trustee appointed as acting chair for that meeting. In the event of a split vote, the committee chair (or acting chair) will have the deciding vote.
Working Groups	The committee may establish an advisory working group from its members as it sees fit, but this group will not have any delegated decision making powers.

5.1. General Purpose and functions

The purpose of the Local Academy Committees is to provide local accountability, support and oversight of the school's leadership team and a link between the Trust and parents and the wider community:

5.1.1. Developing an understanding of how the trust and the school are led and managed by:

- Building an understanding of the Trust’s ambitions for the school and its pupils – its vision and strategy and how this is realised at school level;
 - Knowing the Trust’s values and becoming familiar with key policies, understanding how these work in practice so that they are creating a trust wide culture.
- 5.1.2. Being the link with parents and the community by:
- Building a knowledge of parents’ views and the community context of the school; and
 - Ensuring that the trust board is aware of parents’ and community views.
- 5.1.3. Monitoring the work of the school, escalating any concerns to the trust board by:
- Scrutinising reports on the school’s progress against targets
 - Monitoring compliance with and the effectiveness of key policies
 - Visiting the school during the school day and attending school events
 - Reviewing key decisions made by the Head teacher e.g. pupil exclusions and responses to complaints through panels (see below)
- 5.2. Safeguarding**
- 5.2.1. To ensure that:
- the school is fulfilling its responsibilities and current legal requirements and that statutory guidance is followed.
 - To ensure that the school’s safeguarding related policies and procedures are fully implemented and that safeguarding is robust and effective.
 - To ensure that all necessary training is undertaken by staff as appropriate to their role and responsibilities and that it is included as part of the induction of new staff.
 - To ensure that safeguarding arrangements take account of the procedures and practice of the local authority and Local Safeguarding Children’s Partnership.
 - To ensure all staff know how to raise concerns for the welfare of a pupil and who is the school’s Designated Safeguarding Lead and Deputy Designated Safeguarding Leads.
 - To ensure that all pupils know what they should do if they are concerned for their own welfare or the welfare of another child.
- 5.2.2. To ensure the Single Central Record is maintained and that DBS and other required checks are completed on all new staff, volunteers and trust associates.
- 5.3. Inclusion**
- To monitor that:
- all pupils are given a fair and equal opportunity to develop their full potential and to participate in the wider life of the school regardless of their sex, race, religion or belief, sexual orientation, disability or special educational needs, gender reassignment or any other characteristic protected under the Equality Act 2010; and
 - that reasonable adjustments are made where pupils with a disability would otherwise be disadvantaged.
- To ensure that pupils with medical conditions are supported to enable the fullest participation possible in all aspects of school life.
- 5.4. Pupil Welfare**
- To monitor:
- pupil attendance (including persistent absence and punctuality) against the school’s targets

- the emotional health and wellbeing of all pupils;
- compliance with the school food standards and healthy eating;
- admissions applications and on roll numbers;
- leavers' data;
- behaviour patterns and trends, the use of exclusions and rewards (and to ensure that all disciplinary matters are dealt with consistently and fairly);
- school uniform and best value.

5.5. Curriculum

- 5.5.1. To ensure the school has:
- A broad and balanced curriculum which:
 - reflects the Trust's values,
 - supports the school's priorities,
 - meets the needs of all pupils and
 - meets statutory requirements and funding agreements.
 - A full and inclusive enrichment offer.
- 5.5.2. To consider curricular issues which have implications for finance and personnel decisions and to make recommendations to the Finance and Resources committee or to the Trust Board.
- 5.5.3. To ensure (where relevant) that all pupils are provided with independent careers information, guidance and advice from Year 8 which meets the Gatsby Benchmarks and that it is presented in an impartial manner, includes information on a range of education or training options, including apprenticeships and other vocational pathways and promotes the best interests of the pupils to whom it is given.

5.6. Outcomes

- 5.6.1. Ensure there is a reliable assessment model and tracking information for all learners.
- 5.6.2. To consider outcomes and pupil progress and to review how the school is targeting areas of underperformance and the impact and effectiveness of this (including in respect of particular pupil groups identified as underachieving in comparison to their peers).
- 5.6.3. To ensure that the educational achievement of looked-after children (LAC) and previously looked-after children (PLAC) is promoted in accordance with Department for Education guidance.
- 5.6.4. To ensure that the requirements of pupils with special educational needs and disabilities are met as laid out in the SEND Code of Practice.
- 5.6.5. To review the spending and impact of grants including:
 - the pupil premium grant-considering the impact of the previous year's spending and the strategic plan for the current year.
 - PE and Sport premium funding (where relevant) -considering the impact of the previous year's spending and the strategic plan for the current year
- 5.6.6. To monitor (where relevant) the performance of the Special Resourced Provision in securing access to academic opportunities and positive outcomes.
- 5.6.7. To monitor (where relevant) the delivery of the Early Years Foundation Stage in line with statutory requirements.
- 5.6.8. To receive summary reports on the academic performance of the school in relation to national benchmarks.
- 5.6.9. To monitor school, local and national performance data to evaluate the effectiveness of the school and trust in raising achievement/progress.
- 5.6.10. To review targets for school performance.
- 5.6.11. To monitor provision for more able pupils.

5.6.12. Monitor the quality of teaching and professional development strategies.

5.7. External accountability

- 5.7.1. To monitor national changes that impact on curriculum delivery and pathways.
- 5.7.2. To monitor the steps taken by the school to prepare for Ofsted and to consider what steps trustees/trust associates should take.
- 5.7.3. To monitor compliance with legal requirements to publish certain information on the school website relating to curriculum, pupil premium grant funding, PE and Sport premium funding and other grants.

5.8. Community

To monitor:

- the views of pupils and staff and how these are taken into account in planning and day to day practice;
- the engagement and views of parents within the school, particularly those who find it hard to engage, and how these are taken into account, and to consider ways in which home-school links can be further developed;
- the effectiveness of partnerships with other schools, external agencies and the community including business, to improve the school, extend the curriculum and increase the range and quality of learning experiences for pupils;
- the school's publicity, public presentation and relationships with the wider community;
- community links and community use of the school and the school's contribution to promoting community cohesion.

6. Appraisal Panel

Membership	<ul style="list-style-type: none"> ● Three members appointed by the trust board (these will usually be three trustees but where appropriate and at the discretion of the board the panel may include a trust associate) ● The trust board will appoint a chair. <p>Disqualification: Staff trust associates</p> <p>The School Improvement Partner will attend the meetings in an advisory capacity.</p>
Frequency of meetings	At least one meeting a year in accordance with the trust's Annual Meeting Schedule.
Quorum	All three members of the panel.
Voting	Any decisions taken must be determined by a majority of the votes of the panel members. In the event of a split vote, the committee chair will have the deciding vote.

The Panel will:

- Inform the Executive Director/Head teacher of the standards against which their performance will be assessed and set targets for the year.
- Use the expertise of an external advisor (the School Improvement Partner) to ensure that the Executive Director's/Head teacher's objectives are consistent with the trust's/school's improvement priorities and comply with employment regulations and equalities legislation.

- monitor through the year, utilising a mid-year review, the performance of the Executive Director/Headteacher against the targets. The mid-year review may be led by one member of the Panel who is responsible for reporting back to the other members.
- Following the end of the appraisal year, assess the Executive Director's/Head teacher's performance against agreed objectives, with support from the external advisor.
- Make a report to the Pay and Rewards Committee as to whether the Executive Director's/Head teacher's performance targets have been met and to confirm that new targets have been set for the year ahead and to make recommendations for pay progression and reward.
- Support the wellbeing of the Executive Director/ Head teacher in relation and in relation to work-life balance issues.

7. Pay and Rewards

Membership	<ul style="list-style-type: none"> ● Four members including the Chair of the Trust Board and the Chair of the Finance and Resources Committee ● Committee Chair to be the Chair of the Trust Board. <p>The Executive Director and Head teachers will attend meetings (excluding that part of the meeting when their own pay and reward is discussed and in relation to Head teachers, when the pay and reward of the Executive Head teacher and staff who are not employed at their school are discussed).</p>
Frequency of meetings	At least one meeting a year in accordance with the trust's Annual Meeting Schedule.
Quorum	<p>Three members of the committee, to include:</p> <ul style="list-style-type: none"> ● the committee chair; or where they are unable to attend any meeting ● the acting chair appointed for that meeting by the chair of the trust board
Voting	Any decisions taken must be determined by a majority of the votes of the committee members present. In the event of a split vote, the committee chair (or acting chair) will have the deciding vote.

- 7.1. To consider and approve the (anonymised) pay recommendations and recommendations in respect of threshold applications from Head teachers for staff at their school.
- 7.2. To consider and approve the (anonymised) recommendations from Head teachers for payments of the exceptional performance discretionary bonus to staff at their school, in accordance with the Pay Policy and the Trust's discretionary bonus framework.
- 7.3. To receive a report and recommendations from the Executive Director's/head teachers' appraisal panels as to whether their performance targets have been met and to confirm that new targets have been set for the year ahead.
- 7.4. To consider and approve the appraisal panels' recommendations for pay progression and reward for the Head teachers and the Executive Director.
- 7.5. Final decisions about whether or not to accept recommendations will be made by the Pay Committee, having regard to the evidence presented.

8. Search Committee

Membership	Up to six members comprising: <ul style="list-style-type: none"> ● The Chair of the Trust Board; ● The Chair of the Finance and Resources Committee; ● The Chair of the Fern Hill Local Academy Committee; ● The Chair of The Kingston Academy Local Academy Committee ● Two other members appointed by the trust board
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Purpose: To perform a recruitment search function.

At least two members of the Committee (including the Chair of the trust board) to identify, shortlist, interview and recommend potential new trustees and trust associates.

Appointments to be made by the trust board or Trust Members in accordance with the Articles of Association.

9. Admissions Committees (may be one for each school)

Membership	<ul style="list-style-type: none"> ● Five members comprising: <ul style="list-style-type: none"> ○ trustees/ members of the Local Academy Committee appointed by the trust board ○ The Head teacher of the relevant school ● Committee Chair to be the Head teacher of the relevant school.
Frequency of meetings	At least once in accordance with the Trust's Annual Meeting Schedule and as required to decide in-year applications.
Quorum	Three members of the committee, to include the head teacher.
Voting	Any decisions taken must be determined by a majority of the votes of the committee members present. In the event of a split vote, the committee chair (or acting chair) will have the deciding vote.

- 9.1. To decide applications to be considered under the school's exceptional reasons oversubscription criteria.
- 9.2. To decide applications to be educated out of year.
- 9.3. To determine within statutory provisions and the school's policy whether any child should be admitted to the school.
- 9.4. To advise the trust board on the school's admissions policy.
- 9.5. To review admissions arrangements and to make recommendations for changes to the trust board.
- 9.6. **Admissions Appeals**
- 9.7. The Chair of the trust board or a chair of an Admissions Committee may approve the Trust's Statements setting out the Trust's case in response to admissions appeals.

10. Hearings Committee

Membership	Any three trustees or trust associates.
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	Disqualification: any trustee or trust associate who has been directly involved or has material prior knowledge.
Frequency of meetings	As required
Quorum	Three members.
Voting	Any decisions taken must be determined by a majority of the votes of the members. In the event of a split vote, the committee chair will have the deciding vote.

To hear representations and make decisions where these have been delegated to a panel of trustees/trust associates in either the Scheme of Delegation or Trust/School policies. Note: in respect of complaints one member of the panel must be independent of the management of the school/trust.

11. Appeals Committee

Membership	Any three trustees or trust associates. Disqualification: any trustee or trust associate who has been directly involved, or has material prior knowledge.
Frequency of meetings	As required
Quorum	Three members.
Voting	Any decisions taken must be determined by a majority of the votes of the members. In the event of a split vote, the committee chair will have the deciding vote.

To hear appeals where these have been delegated to a panel of trustees/trust associates in either the Scheme of Delegation or Trust/School policies.

12. Pupil Discipline Committee

Membership	Any three trustees or trust associates. Disqualification: any trustee or trust associate who has been directly involved, or has material prior knowledge.
Frequency of meetings	As required
Quorum	Three members.
Voting	Any decisions taken must be determined by a majority of the votes of the members. In the event of a split vote, the committee chair will have the deciding vote.

- 12.1. To consider representations from parents in the case of exclusions of 5 days or less (Committee may not reinstate).
- 12.2. To consider representations from parents in the case of exclusions totalling more than 5 but not more than 15 school days in one term (meeting to be held within 50 school days after receiving notice of the exclusion).
- 12.3. To consider the reinstatement of an excluded pupil within 15 school days of receiving notice of exclusion if the exclusion is permanent or it is a fixed period exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term; or it would result in a pupil missing a public examination or national curriculum test.
- 12.4. To ensure that the statutory DfE guidance 'Exclusion from maintained schools, academies and pupil referral units in England' is followed.

13. Lead Trustees/Trust Associates

Any trustee or trust associate to whom an area of responsibility has been delegated is expected to work within the following terms of reference:

- To liaise with the appropriate member(s) of staff and to visit the school(s) with the purpose of gathering information concerning their area of responsibility and to increase their knowledge of the school(s).
- To regularly report to the Trust Board or to the relevant committee on developments and progress within their area of responsibility.
- To raise the profile of the area of responsibility when related matters are considered by the Trust Board or committee.
- To attend training as appropriate.

Approved KET Board 13 December 2021