

THE LEARNING PARTNERSHIP TRUST
FINANCE & OPERATIONS COMMITTEE
TERMS OF REFERENCE

1. POWERS OF THE TRUST BOARD OF DIRECTORS

- 1.1. The Directors of the Trust Board shall establish the Finance and Operations Committee as a Trust committee as empowered by the Trust's Articles of Association (Article 100B).
- 1.2. The Directors shall determine and approve the Committee's Terms of Reference and shall review the Terms at the start of each academic year (Article 101).
- 1.3. The Directors shall determine and approve the delegation of powers, responsibilities and duties to the Committee and shall review this Scheme of Delegation at the start of each academic year (Article 105).
- 1.4. The Directors shall have the right to intervene in the governance of an individual academy where it has serious cause for concern that there is financial mismanagement or failure to operate within budget.
- 1.5. The Trust Scheme of Delegation is attached as [Annex 1](#).

2. POWERS OF THE FINANCE & OPERATIONS COMMITTEE

- 2.1. The Committee shall exercise the powers, responsibilities and duties delegated by the Trust Board as set out in the Terms of Reference and Scheme of Delegation, and in particular;
- 2.2. to prepare and recommend to the Trust Board the Trust and Academy Financial Regulations and Procedures to comply with relevant statute and regulation, the Trust's Scheme of Delegation and the decisions of the Directors (SoD 5.1-2),
- 2.3. to review, recommend to the Trust Board and monitor the individual academy annual budgets that are proposed by each Local Governing Body, with a specific responsibility to ensure that budgets do not go into deficit (SoD 5.10),
- 2.4. to review, recommend to the Trust Board and monitor the Trust annual budget that consolidates individual academy budgets with Trust central costs and charges, with a specific responsibility to ensure the Trust budget does not go into deficit (SoD 5.4),
- 2.5. to identify and propose to the Trust Board opportunities for the Trust to achieve financial and resource efficiencies for member academies through joint commissioning and procurement,
- 2.6. to review and approve the Trust and Academy Interim Year End financial reports prior to audit (SoD 5.5 & 5.12).
- 2.7. to review and recommend to the Trust Board the appointment and re-appointment of the Trust's auditors (SoD 5.3),
- 2.8. to plan and oversee the statutory audit of Annual Accounts for the Trust and each academy (SoD 5.6),
- 2.9. to review and recommend to the Trust Board the audited Annual Accounts and Financial Statements in accordance with relevant statute and regulation (SoD 5.6),
- 2.10. to review and recommend to the Trust Board the Trustees Report (SoD 5.7),
- 2.11. to prepare and recommend to the Trust Board and implement the Trust action plan in response to the auditor's management letter (SoD 5.9),
- 2.12. to review and recommend to the Trust Board the annual Accounts Return to the Education Funding Agency (SoD 5.10),

- 2.13. to prepare and recommend to the Trust policies relating to the Trust's financial governance and operation including;
 - 2.13.1. Procurement,
 - 2.13.2. Anti-Fraud and Corruption
 - 2.13.3. Investment Management
 - 2.13.4. Accounting
 - 2.13.5. Charging and Remissions
 - 2.13.6. Gifts and Hospitality
 - 2.13.7. LPT Reserves
 - 2.13.8. Best Value Statement
- 2.14. to consider and recommend to the Trust Board policies and plans relating to the Trust's employment of staff including;
 - 2.14.1. Teachers Annual Pay Award (SoD 3.5),
 - 2.14.2. Support Staff Annual Pay Award (SoD 3.6).
- 2.15. to approve expenditure or contracts between the Upper Limit (as per Trust Finance Regulations) and the OJEU limit in force at the time (SoD 6.3).
- 2.16. to recommend to the Trust Board expenditure above the OJEU limit having completed the necessary procurement (SoD 6.4)
- 2.17. to approve disposals and write-offs of stock and assets between the Lower Limit and Upper limit (as per Trust Finance Regulations) and to recommend to the Trust Board disposals, write-offs and assets between the Upper Limit and the limit set by the Education Funding Agency. (SoD 6.6-7)
- 2.18. to consider for recommendation to the Trust Board compensation payments up to £50,000 or the limit set by the Education Funding Agency (SoD 6.8).
- 2.19. to review, monitor and recommend the Asset Management Policy (SoD 8.1) and approve the Asset Management Plan (SoD 8.3) including;
- 2.20. to review and recommend to the Trust Board the Trust Health & Safety policy. (SoD 8.2)

3. COMPOSITION AND APPOINTMENT OF THE FINANCE & OPERATIONS COMMITTEE

- 3.1. The composition of the Committee shall be as follows;
 - 3.1.1. Chair of Finance and Operations Committee
 - 3.1.2. CEO,
 - 3.1.3. Trust Business Manager,
 - 3.1.4. Persons with finance, accountancy or commercial expertise who will be appointed by the Trust Board,
 - 3.1.5. Further Trust Directors such that the Committee has a majority of Directors.
- 3.2. The membership of the Committee shall be detailed as [Annex 2](#).

4. TERM OF OFFICE AND RESPONSIBILITIES OF COMMITTEE MEMBERS

- 4.1. The Term of Office for all Members is 4 years.
- 4.2. On appointment Members are each required to familiarise themselves and to agree to comply with;
 - 4.2.1. Trust Articles of Association,
 - 4.2.2. Trust Master and Supplementary Funding Agreements

- 4.2.3. Trust Financial Regulations,
- 4.2.4. Academies Finance Handbook,
- 4.2.5. these Terms,
- 4.2.6. current relevant financial legislation and guidance for academies.

5. MEETINGS OF THE COMMITTEE

- 5.1. The Committee shall meet at least once per term and in particular;
 - 5.1.1. The Committee shall meet at the appropriate times set out in the Trust Business Calendar
 - 5.1.2. The members will receive notice of each meeting 7 clear days before the date of the meeting.
 - 5.1.3. The agenda, papers and minutes of Committee meetings will sent to the Clerk to the Directors when they are issued to members
 - 5.1.4. Minutes will be signed by the Committee Chair at the next meeting to verify that the minutes are a true record.
- 5.2. Quorum for a meeting of the Committee will be half the members and a majority of members present being Trust Directors.
- 5.3. Each question to be decided at a meeting of the Committee shall be determined by a majority of votes of members present and eligible to vote on the question. The Chair shall have the casting vote in the case of equal votes for and against the decision.

6. APPOINTMENT OF THE COMMITTEE CHAIR AND VICE CHAIR

- 6.1. The Trust Board shall appoint the Chair and Vice Chair.
- 6.2. The Trust Board shall have the right to remove the Chair and/or Vice Chair, specifically in circumstances where they have cause for concern that there is financial mis-management in the Trust.
- 6.3. The term of office for Chair and Vice-Chair will be 1 year and they shall be appointed at the first meeting of each school year.

DECLARATION

The Finance & Operations Committee at its meeting on 14th November 2018 resolved to adopt these Terms of Reference. The Trust Board resolved to adopt these Terms of Reference at their meeting on 21st November 2018. A copy has been forwarded to the Clerk to the Directors for the formal Trust Board records. These Terms of Reference will be reviewed annually at the start of the academic year.

Signature
(Chair of Directors)

Date of signature

ANNEX 1: Trust Scheme of Delegation
ANNEX 2: Committee membership

THE LEARNING PARTNERSHIP TRUST SCHEME OF DELEGATION

Introduction

The Scheme of Delegation sets out the delegated powers between the different bodies involved in the governance and operation of the Multi Academy Trust and member academies.

The bodies may include:

1. Trust Members
2. Trust Board of Directors
3. Trust Finance & Operations Committee
4. Local Governing Body
5. Trust Chief Executive Officer & Executive Headteacher
6. Leadership group of Headteachers and Heads of School
7. Headteacher of individual academies

The delegated powers are broken down into different levels in line with the Trust's principles of governance, leadership and operation. The delegated autonomy for individual academies is aligned with the need for the Trust to fulfil its corporate responsibilities and accountabilities to the Department for Education, Education Funding Agency, Charities Commission, HMRC and Companies House.

The different levels of delegated power are listed below but it should be noted that not every task requires all levels of delegated power to be defined:

- Approve (A)
- Recommend (R)
- Propose (P)
- Develop (D)
- Monitor & Report (M)
- Consulted (C)
- Implement (I)

The Scheme of Delegation should be read in conjunction with the Terms of Reference for the relevant body. While the Scheme is designed to be comprehensive it will not cover every task.

Trust Policies

A key task for the Trust is to develop and monitor a range of policies that member academies are expected to adopt. These policies may include those listed below.

Academy & Pupil Policies	Employment & Staff Policies
Curriculum	Pay & Remuneration
Teaching & Learning	Performance Management & Appraisal Review
Sex Education	Disciplinary
Religious Education	Re-structuring and Redundancy
Child Welfare & Safeguarding	Job Role, Grade & Salary
Attendance	Grievance
Pupil Behaviour & Exclusions	Capability
Pupil Premium	Whistleblowing
Health & Safety	Employee Health & Safety
Academy Trips	Financial Policies
Complaints	Financial Regulations & Procedures
SEN & Inclusion	Asset Management
Admissions	

#	Task Key: Approve (A), Recommend (R) Propose (P), Develop (D), Monitor & Report (M), Consulted (C), Implement (I)	Notes	Board	Fin Cttee	LGB	CEO/EHT	Ldr Grp	HT
1.	Governance							
1.1.	Approve Trust Articles of Association	Members only	R					
1.2.	Approve Trust Board Terms of Reference		A			P		
1.3.	Approve Trust Scheme of Delegation		A			P		
1.4.	Approve new convertor or sponsored academies joining MAT		A					
1.5.	Establish Trust Committees		A					
1.6.	Approve Trust Committee Terms of Reference		A					
1.7.	Approve Local Governing Body (LGB) Terms of Reference		A		P	P		
1.8.	Establish LGB working groups				A			R
1.9.	Appoint Chair of Trust Board		A					
1.10.	Appoint Chair of LGB		A		R			
1.11.	Remove Chair of LGB	In exceptional circumstances	A		A			
1.12.	Appoint (and remove) Vice Chair of LGB				A			
1.13.	Appoint (and remove) LGB members	As per agreed composition	A		R			
1.14.	Appoint (and remove) Chair(s) of Trust Committees		A					
1.15.	Appoint (and remove) Trust Committee members	As per agreed composition	A					
1.16.	Appoint (and remove) Clerk to Trust Board		A					
1.17.	Appoint (and remove) Clerk to LGB		A					
1.18.	Organise calendar of Trust Board and LGB meetings		A			R		
1.19.	Approve Directors Expenses Policy		A					
2.	Trust & Academy Performance, Curriculum and Teaching							
2.1.	Trust Strategic Plan		A	C		R	C	
2.2.	Academic Performance Targets		A		RM	P	C	D
2.3.	Academy Performance Review <i>e.g. SEF</i>		A		RM	P	C	D
2.4.	Academy 1 Year Plan		A		RM	P	C	D
2.5.	Teaching & Learning Policy		A		C	R	C	
2.6.	Curriculum Policy		A		C	R	C	
2.7.	Sex Education policy		A		C	R	C	
2.8.	Religious Education policy		A		C	R	C	
2.9.	SEN & Inclusion policy		A		C	R	C	
2.10.	Trust Staff Development Plan					A	C	
2.11.	Academy Staff Development Plan					A	C	R
2.12.	Trust Inset Days					A	C	
3.	Staff Policies and Pay							
3.1.	Pay & Remuneration Policy		A	R	M	P		
3.2.	Job Role Salary & Grading Policy		A	R	M	P		
3.3.	Changes to Employee Terms & Conditions or Collective Agreements		A			R		
3.4.	Adoption of Transferring Policies and Collective Agreements		A			R		

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3.5.	Teachers Annual Pay Award		A	R		P		
3.6.	Support Staff Annual Pay Award		A	R		P		
3.7.	Individual Performance Pay Awards	As per agreed budget				A		RI
3.8.	Performance Management & Appraisal Review Policy		A		M	R		I
3.9.	Disciplinary Policy		A		M	R		I
3.10.	Grievance Policy		A		M	R		I
3.11.	Capability Policy		A		M	R		I
3.12.	Whistleblowing Policy		A		M	R		I
3.13.	Re-structuring & Redundancy Policy		A		M	RI		
3.14.	Employee Health & Safety Policy		A		M	RI		
4.	Staff Management							
4.1.	Trust staff structure		A	C		RI	C	
4.2.	Academy staff structure		A	C	C	R	C	PI
4.3.	CEO/Exec Headteacher appointment		AI					
4.4.	Trust leadership structure		A		C	R	C	
4.5.	Headteacher appointment	As per agreed process	A		RI	C		
4.6.	Senior leadership appointments				C	A	C	RI
4.7.	Teaching and support staff appointments	As per agreed structure and budget				C		AI
4.8.	Suspension of CEO/Exec Headteacher		AI					
4.9.	Return of CEO/Exec Headteacher after suspension		AI					
4.10.	Dismissal of CEO/Exec Headteacher		AI					
4.11.	Suspension of Headteacher	As per agreed policy	A		C	RI		
4.12.	Return of Headteacher after suspension		A		C	RI		
4.13.	Dismissal of Headteacher	As per agreed policy	A		C	RI		
4.14.	Suspension of teaching and support staff	As per agreed policy			C	A		RI
4.15.	Return of teaching and support staff after suspension				C	A		RI
4.16.	Redundancy of staff		A		C	RI		P
4.17.	Restructuring of staff		A		C	RI		P
5.	Financial Governance & Management							
5.1.	Trust & Academy Financial Regulations		A	RM	M	P		
5.2.	Trust & Academy Financial Procedures		A	RM	M	P		
5.3.	Appoint Trust auditors		A	R				
5.4.	Trust 1 year Budget		A	RM		P	C	
5.5.	Trust Interim Year End Accounts			A				
5.6.	Trust Annual Accounts		A	R				
5.7.	Trustees Report		A	R		I		
5.8.	Trust Academies Accounts Return to EFA			A		I		
5.9.	Response to Auditor's Management Letter		A	R				
5.10.	Academy 1 year Budget		A	RM	CM	P	C	D
5.11.	Academy YTD reports		A	RM	CM	P	C	D

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5.12.	Academy Interim Year End Accounts			A	C	P		D
5.13.	Academy Accounts Return to EFA			A		I		
6.	Financial Authorisation							
6.1.	Expenditure or contracts up to Lower Limit (£10k)					A		A
6.2.	Expenditure or contracts from Lower Limit to Upper Limit (£25k)					A		P
6.3.	Expenditure or contracts from Upper Limit to OJEU limit			A		R		P
6.4.	Expenditure over OJEU limit		A	R		P		
6.5.	Disposals or write off of stock, assets or debts up to Lower Limit					A		A
6.6.	Disposals or write off of stock, assets or debts from Lower Limit to Upper Limit			A		R		
6.7.	Disposals or write off of stock, assets or debts over Upper Limit (up to AFH limit)		A	R		P		
6.8.	Compensation payments up to £50,000		A	C		R		
7.	Academy Policies & Procedures							
7.1.	Academy times, terms and holidays		A		C	R	C	P
7.2.	Change of Academy Age Range		A		C	R	C	P
7.3.	Expansion of Academy PAN		A		C	R	C	P
7.4.	Extension of Academy provision (EYFS)		A		C	R	C	P
7.5.	Child Welfare & Safeguarding Policy		A		CM	R	C	P
7.6.	Attendance Policy & Plan		A		CM	R	C	P
7.7.	Pupil Premium Policy		A		CM	R	C	P
7.8.	Pupil Premium Plan		A		CM	R	C	P
7.9.	Academy Trips Policy		A			R	C	PI
7.10.	Pupil Behaviour & Exclusions Policy		A		CM	R	C	PI
7.11.	Short-term Exclusion	As per agreed policy			A	C		I
7.12.	Return after short-term exclusion	As per agreed policy				C		A
7.13.	Permanent Exclusions	As per agreed policy			A	R		P
7.14.	Appeals against Permanent Exclusion				I			
7.15.	Complaints Policy		AM		C	R	C	
7.16.	Complaints Appeals	Independent panel	I					
7.17.	Admissions Policy		A		CM	R	C	P
7.18.	Allocation of places against Admissions Policy				I			
7.19.	Admissions Appeals	Independent panel			I			
7.20.	Academy prospectus					A		
7.21.	Academy website		AM			RI		
7.22.	Academy logo & branding		A		C	R	C	
7.23.	Academy uniform		A		C	R	C	
7.24.	Extended services on-site					A	C	R
8.	Premises & Assets							
8.1.	Asset Management Policy		A	RM		PI		
8.2.	Health & Safety Policy		A	RM	M	PI		

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8.3.	Asset Management Plan			AM	C	R	C	P

APPENDIX 2: Committee Membership

Name	Role
John Clements	CEO/CAO
Victoria Marrow	Business Director/CFO
Niamh Dobson	Trust Finance Manager
Diane Hancock	Chair
Chris Hancock	Vice Chair
Allan Wilton	Director
Iain Gilchrist	Director
Neil Cobbe	Takeley LGB