

# Governance at Hawes Side Academy



## Structure and membership of the trust

### Members and Trustees

The articles of association set out the structure of governance at Hawes Side Academy trust, as well as the criteria for membership of the board of trustees.

Hawes Side Academy has a board of Members and a board of trustees who are also directors of the company.

**Members** have a different status from the trustees. They have oversight of the governance arrangements, hold the board of trustees to account and have key decision-making responsibilities e.g. members have the final say over whether any amendments are made to the articles of association.

If the trust is not achieving its purpose, the members have key responsibilities including consideration as to whether this is because the trustees are failing to carry out their core governance functions.

The Academies Financial Handbook recommends that there is a separation between the roles of members and trustees in order that the members can carry out their responsibility for oversight of the governance arrangements independently.

**Trustees** are the individuals appointed or elected to the academy board of trustees. They enact the responsibilities of the academy trust as defined under the articles of association. Trustees are responsible for ensuring that there is clarity of vision, ethos and strategic direction to achieve the best outcomes for our pupils, whilst also ensuring that the academy trust complies with the law.

### Committee/ group members

The articles of association set out in broad terms what the academy board of trustees can delegate and to whom. Although each trust's articles are different, the vast majority allow a considerable degree of flexibility for delegation to committees (or individuals – see below).

As Hawes Side Academy it is the responsibility of the board of trustees to determine the key area(s) of focus and membership of any committees. Whilst acting on a committee, trustees undertake their role with specific focus on the committee terms of reference.

At Hawes Side Academy the committee structure is reviewed annually in line with the strategic objectives of the academy.

The work of committees will feed into the board of trustees and full board meetings as appropriate, so that all members of the board of trustees remain informed of the key issues, strategy outcomes and areas for development, and participate in any relevant decision making.

The work of committees should not duplicate work of the full board of trustees. At Hawes Side Academy members of committees are appointed as needs require and where relevant skills are identified. Committees may include Trustees who also have specific responsibilities related to the area of work.

Some committees may have decision making powers in line with the scheme of delegation.

### Trustee roles

At Hawes Side Academy some trustees may be assigned to provide forensic governance in key areas. Areas may be linked to the strategic objectives of the academy or be key areas of compliance. Taking a specific role does not remove the trustee's collective responsibility.

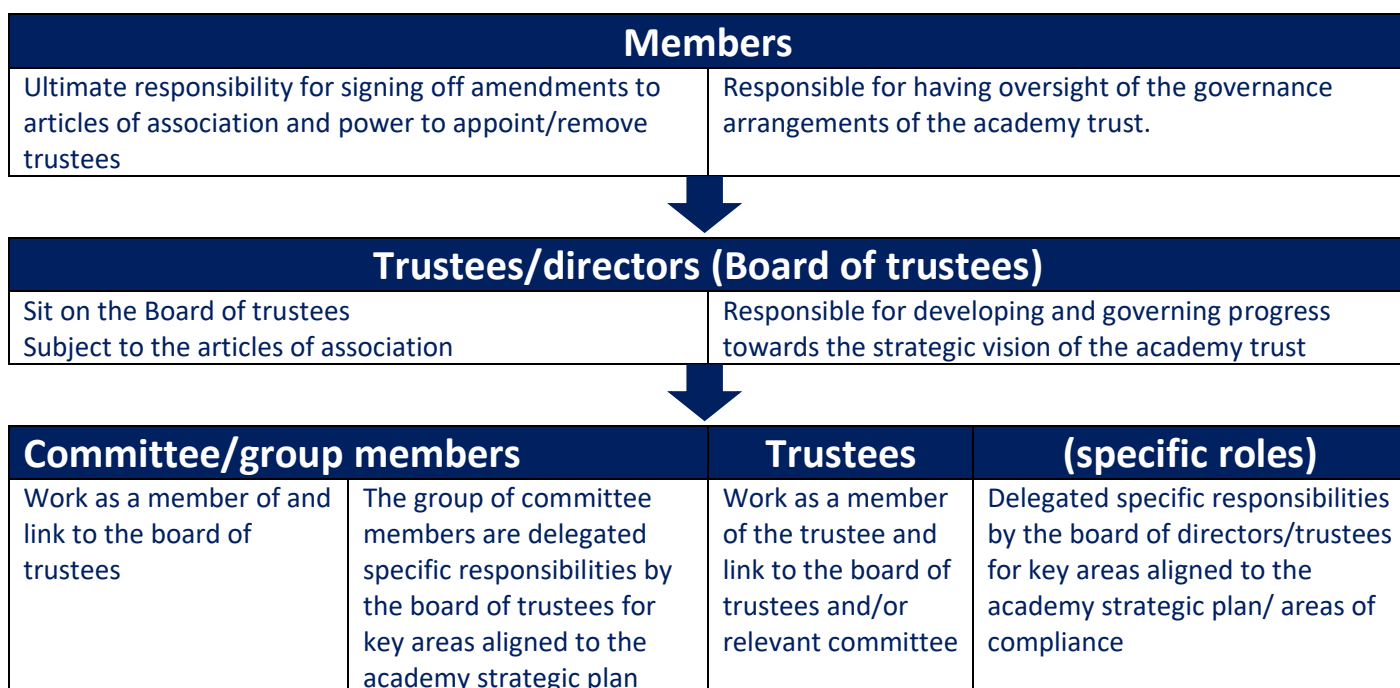
The work undertaken will feed into the board of trustees and committee meetings as appropriate, so that all members of the board of trustees remain informed of the key issues, strategy outcomes and areas for development.

Adapted from NGA documentation

Trustees alone will not have decision making powers but may provide key information to inform decision making at committee or board of trustees level.

The work of trustees should not duplicate work of other trustees. At Hawes Side Academy trustees are appointed to specific roles as needs require and where relevant skills are identified.

### Academy trust governance structure



### Composition of the academy board of trustees

The number of each category of trustee/director on the board is specified in the articles of association – this will vary between academy trusts.

At Hawes Side Academy, the following categories of trustee/director will constitute the board of trustees:

- Parent (2)
- Co-opted (unlimited)
- Member appointed (7)

How trustees are appointed is dictated in the scheme of delegation; an academy trust must include two elected parent trustees.

\*DFE guidance states that staff should not act as trustees from 1<sup>st</sup> March 2022 (Academies Trust Handbook 2021)

### Terms of Office

The terms of office of trustees on the board of trustees, are set out in academies' articles of association. At Hawes Side academy this is four years which, is common practice amongst academies.

At Hawes Side Academy we take the view that this term allows trustees time to both understand the role of the trustee and the academy context. In line with good practice trustees at Hawes Side Academy should serve no more than two terms of office (eight years) in the same role, nor on more than two trust/governing boards at one time – unless there are exceptional circumstances.

### Additional responsibilities

As trustees become more experienced there are other roles that increase the degree of involvement and level of responsibility.

Adapted from NGA documentation

## Chair of Trustees

The chair of trustees is a vital leadership role that provides clear direction to the board of trustees who work as a team to set the vision and challenge, support and contribute to the strategic leadership of the academy. It is the responsibility of the chair to ensure that trustees have the appropriate skills to fulfil their role and act in line with a developed code of conduct.

The chair of trustees has a responsibility to ensure key documentation and planning is in place to allow the board to work and continue to work effectively.

The chair of trustees also has wider leadership responsibilities associated with the role acting as the first point of contact in a range of matters including liaising with external parties as Ofsted and DFE. The chair of trustees is appointed by way of a vote by trustees following a recruitment process designed to ensure that the trustee has the appropriate skills, level of commitment, time and experience required to fulfil the role.

Committees will also require a chair and are appointed in the same way.

At Hawes Side Academy succession planning is viewed as important to ensure good governance is not negotiated. The board of trustees and committees are expected to have an acting Vice Chair. This role is viewed as a platform to develop toward the role of a Chair where the appropriate skills, level of commitment, time and experience required to fulfil the role are also held.

See appendix 1 for role profiles.

## A typical year of governance at Hawes Side Academy

At Hawes Side Academy trustees will be expected to play an active role in governance by attending meetings, training and development opportunities and academy events wherever possible. The following is a basic schedule of expected meetings:

### Summer Term

- Chair of Trustees and Principal meeting
- Chair of Trustees, Principal and clerk agenda setting meeting
- Board of trustees meeting
- Committee meetings where committees are in place
- Meetings with trustees with specific responsibilities (assurance points)
- Training opportunity

The academy will also host at least one planning meeting during this term to evaluate previous performance and set the strategic direction for the next academic year. This will include:

- a review of academy objectives in line with the long-term vision and plan,
- a review of effectiveness of the board of trustees,
- setting the next year objectives
- skills audit and,
- reviewing the structure of governance and trustee roles to best ensure these are met

### Autumn Term

- Chair of Trustees and Principal meeting
- Chair of Trustees, Principal and clerk agenda setting meeting
- Board of trustees meeting (Chair and Vice are appointed/ Accounts are presented)
- Member AGM
- Committee meetings where committees are in place (Pay committee to meet in this term)
- Meetings with trustees with specific responsibilities (assurance points)
- Training opportunity

### Spring Term

Adapted from NGA documentation

- Chair of Trustees and Principal meeting
- Chair of Trustees, Principal and clerk agenda setting meeting
- Board of trustees meeting
- Committee meetings where committees are in place
- Meetings with trustees with specific responsibilities (assurance points)
- Training opportunity

## Key documentation

There are a number of documents that set out the responsibilities of the board of trustees. These are:

### Articles of Association

At Hawes Side Academy the Articles of Association were adopted from the DFE model template following a review on 2020/2021. The articles set out the charitable purpose of the trust and its governance structure. This includes information about:

- what the trust exists to do
- appointing and removing trust members and trustees
- establishing committees and trust boards

### Funding Agreement

There are certain terms that academy trusts must comply with as a condition of their receipt of funding from the Education Funding Agency (EFA). These are contained within the academy's funding agreement which details requirements in relation to:

- establishing the academy
- running of the academy
- grant funding
- land clauses
- complaints
- termination
- other contractual arrangements

The requirements set out in this document are those that academy trustees should bear in mind when exercising their powers of oversight.

### Scheme of delegation

The scheme of delegation is a key document which clearly sets out who has responsibility for making which decisions in the trust.

### Terms of Reference

The terms of reference set out the purpose and the structure of committees to ensure that the work undertaken remains within the chosen area of focus and that meetings are managed under the same framework as the board of trustee meetings.

### Governance Handbook

The DFE publish a Governance Handbook which sets out the remit and expectations for effective governance in schools and academies. This can be found here <https://www.gov.uk/government/publications/governance-handbook>

### Academy Trust Handbook

The DFE publish an Academy Trust Handbook which sets out the expectations around the use of public funds in schools and academies. This can be found here <https://www.gov.uk/guidance/academy-trust-handbook>

### Academy strategic plans

Adapted from NGA documentation

The 5-year strategic plan and the academy Development Plans are key documents developed in liaison with the board of trustees and used as a basis for governance.

These plans outline the expectations of academy performance and therein a clear focus for scrutiny alongside compliances detailed in the other documents.

## Legal Responsibilities

Academies have three legal identities; they are:

- independent state schools;
- exempt charities (charities that do not need to register with the Charity's Commission);
- and companies limited by guarantee (a company with members who act as guarantors).

This means that there are some legal implications upon the duties that apply to trustees/directors; namely that as charity trustees they are subject to the Charities Act 2011 and as company directors, they are subject to provisions in the Companies Act 2006.

These Acts make more specific provisions about the duties required of academy trustees, in addition to those made in the articles of association and the funding agreement. The provisions are varied but most significantly from an academy trustee's perspective is that they make specifications about the liability of trustees.

All academy trustees must be registered as directors of the academy trust with Companies House. The Academies Financial Handbook explains that as directors, the Companies Act 2006 requires that academy trustees/directors:

- act within their powers;
- promote the success of the company;
- exercise independent judgement;
- exercise reasonable care, skill and diligence;
- avoid conflicts of interest;
- not to accept benefits from third parties; and
- declare interest in proposed transactions or arrangements

## Expectations of a Trustee at Hawes Side Academy

In order to perform this role well, a trustee is expected to:

- get to know the academy, including visiting the school occasionally during school hours and in agreement with the Principal, and gaining a good understanding of the strengths and weaknesses
- attend induction training and regular relevant training and development events
- attend meetings (board of trustees meetings, committee meetings and training/planning sessions) and read all the papers before the meeting
- act in the best interests of all the pupils of the school
- behave in a professional manner, as set down in the board of trustees code of conduct, including acting in strict confidence

See appendix 2 for further information

## Appendix 1 - Role Profiles

Adapted from NGA documentation

# HSA Governance: Member

## About the role

### Role Outline

<b>Location</b>	<b>Hawes Side Academy, Johnsville Avenue, Blackpool FY4 3LN</b>
<b>Title of post</b>	Member
<b>Responsible to</b>	Chair of Trustees
<b>Responsible for</b>	Governance of the trust
<b>Liaising with (working relationships)</b>	Principal, Senior Leadership team, teaching and support staff, external agencies and parents/carers
<b>Disclosure level</b>	Enhanced

### Purpose of the role

To oversee the continuing development of an academy where everyone matters and everyone succeeds through promotion of community, learning and creativity in harmony.

As an independent body ensure effective governance of the academy trust by:

- ensuring the academy trust’s charitable objectives are being met
- maintaining an overview of the effectiveness of the trust structure using the powers available to them to effect change where necessary

### Key Tasks

<b>Main /Core Duties</b>	<p>Members</p> <ul style="list-style-type: none"> <li>• are the subscribers to the memorandum of association (where they are founding members)</li> <li>• may amend the articles of association subject to any restrictions created by the funding agreement or charity law</li> <li>• may, in certain circumstances, appoint new members or remove existing members</li> <li>• have powers to appoint and remove trustees in certain circumstances</li> <li>• may, by special resolution, issue direction to the trustees to take a specific action</li> <li>• appoint the trust's auditors and receive the audited annual accounts (subject to the Companies Act)</li> <li>• have power to change the company's name and, ultimately, wind it up.</li> </ul> <p>Members do not:</p> <ul style="list-style-type: none"> <li>• Tell the trustees how to run the trust.</li> <li>• Attend trustee meetings.</li> <li>• Set the trust’s vision or strategy.</li> <li>• Set the board of trustees agendas and/or priorities.</li> <li>• Appoint or performance manage the Principal</li> </ul>
<b>Communications</b>	<ul style="list-style-type: none"> <li>• Maintain positive communications with academy staff and stakeholders</li> </ul>
<b>Marketing and Liaison</b>	<ul style="list-style-type: none"> <li>• Establish constructive relationships with academy staff and stakeholders.</li> <li>• Promote actively the Academy Trust corporate policies.</li> </ul>
<b>Corporate Responsibility</b>	<ul style="list-style-type: none"> <li>• Be aware of and comply with policies and procedures relating to child protection and safeguarding, health and safety and general data protection regulations, reporting all concerns to an appropriate person.</li> </ul>

	<ul style="list-style-type: none"> <li>• Appreciate and support the role of other professionals.</li> <li>• Attend and participate in relevant meetings and training as may be reasonably required.</li> </ul>
<b>Other Specific Responsibilities</b>	<ul style="list-style-type: none"> <li>• Carry out duties in the most effective, efficient and economic manner.</li> <li>• To continue personal development in the relevant area.</li> <li>• To participate in relevant safeguarding and safety training to ensure current knowledge and practice relevant to the area is maintained.</li> </ul>
<b>Safeguarding</b>	<ul style="list-style-type: none"> <li>• The Academy is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment and individually take responsibility for doing so.</li> </ul>

### Person Specification

Criteria	Essential (E) or desirable (D)
Experience working in public office/ Nolan principles	D
Experience of the education sector	D
Understanding of the role of a member and trustee	D
Ability to work as part of a team	E
Good communication skills	E
Able to understand and interpret sensitive information and apply appropriate levels of confidentiality	E
Basic IT skills	E
A commitment to developing skills and knowledge through training and taking up briefings and networking opportunities	D
Specific skills, knowledge, experience as determined by the latest skills audit*	E

\*it is good practice for a board of trustees to undertake regular self-review including skills audit to determine any gaps in expertise that recruitment could support.

## HSA Governance: Chair of Trustees

### About the role

## Role Outline

<b>Location</b>	<b>Hawes Side Academy, Johnsville Avenue, Blackpool FY4 3LN</b>
<b>Title of post</b>	Chair of Trustees
<b>Responsible to</b>	Members
<b>Responsible for</b>	Governance of the trust, leadership of Trustees, line management of the Principal
<b>Liaising with (working relationships)</b>	Principal, Senior Leadership team, teaching and support staff, external agencies and parents/carers
<b>Disclosure level</b>	Enhanced

## Purpose of the role

To lead the continuing development of an academy where everyone matters and everyone succeeds through promotion of community, learning and creativity in harmony.

The chair of the board of trustees is a leadership role that provides clear direction to the board of trustees who work as a team to challenge, support and contribute to the strategic leadership of the academy.

## Key Tasks

<b>Main /Core Duties</b>	<b>Leading governance the academy</b>
	<ul style="list-style-type: none"> <li>• ensuring there is clarity of vision, ethos and strategic direction</li> <li>• holding executive leaders to account for the educational performance of the organisation and its pupils and the performance management of staff</li> <li>• overseeing the financial performance of the organisation and making sure its money is well spent</li> <li>• ensuring the voices of stakeholders are heard</li> </ul>
	<b>Strategic and leadership responsibilities</b>
	<p>The chair provides strategic leadership that allows trustees to fulfil their functions by:</p> <ul style="list-style-type: none"> <li>• ensuring that there are transparent and effective processes for recruiting and inducting a new Principal</li> <li>• ensuring appropriate trustee involvement in the recruitment of senior leaders</li> <li>• ensuring the board has good knowledge of the school(s) and has mechanisms in place to obtain and listen to the views of parents, pupils and staff</li> <li>• ensuring that the board of trustees sets a clear vision and strategy for the academy</li> <li>• ensuring that the board of trustees and Principal have a shared vision and sense of purpose</li> <li>• leading the board in monitoring the Principal’s implementation of the strategy</li> <li>• setting the culture of the board of trustees, balancing and valuing both the support and challenge responsibilities</li> <li>• ensuring the board acts as a team</li> <li>• ensuring that there is a succession plan for the chair, vice chair and any committee chairs</li> </ul>
	<b>Wider leadership responsibilities</b>
	<p>The chair has wider leadership responsibilities associated with the role and status of lead trustee on the board, such as:</p>



- being a first point of contact and playing a leading role in employment matters as required by the adopted procedures of the school/trust e.g. grievance, disciplinary, capability
- where required, acting as a first point of contact and respondent in matters raised with the school or trust by external bodies e.g. LA, DfE, ESFA
- where required, representing the board of trustees in its dealings with external partners and be an advocate for the trust

### Developing the Team

The board of trustees needs a range of skills and knowledge to carry out their functions effectively. It is the responsibility of the board's chair to:

- ensure the board has the required skills and commitment to govern well, and that appointments made fill any identified skills gaps and ensure a diverse team
- ensure all members of the board have a thorough understanding of their role and receive appropriate induction and ongoing development as required
- ensure that board members are involved, feel valued and encourage their development
- ensure members of the board act reasonably and in line with the board's agreed code of conduct
- develop a good working relationship with the vice chair, keeping them fully informed and delegating tasks as appropriate

### Working with school leaders

The Chair and Principal must develop effective working practices which are mutually supportive. It is the responsibility of chair to:

- ensure that the board of trustees fulfils its duty of care to the Principal, including ensuring a safe and secure working environment, a reasonable work-life balance, and support for their wellbeing
- ensure all trustees concentrate on their strategic role and hold the Principal to account
- build and encourage a professional relationship with the principal which allows for honest conversations, acting as a sounding board and ensuring there are no surprises at meetings
- meet regularly (normally monthly) with the Principal
- oversee and participate in the Principal's performance review, ensuring that appropriate continuing professional development (CPD) is provided
- ensure that the principal provides staff with an understanding of the role of the board of trustees and acts as link between the two

### Influencing improvement and achieving outcomes

The board's activities should be focused on trust improvement and achieving the best outcomes for pupils. The chair of trustees is expected to:

- ensure the board is involved at a strategic level in the academy self-evaluation process and that this feeds into its key priorities
- ensure the board's business is focused on the strategic priorities

	<ul style="list-style-type: none"> <li>collaborate with school leaders to ensure the board has the information it needs to monitor the implementation of policies; pupil attainment and progress and the financial health and sustainability of the trust</li> <li>evaluate and question information in order to identify appropriate actions, modelling this approach for other trustees</li> <li>take the lead in representing the board of trustees at relevant external meetings with agencies such as Ofsted, the DfE and the local authority</li> </ul> <p><b>Leading board of trustees business</b></p> <p>Chairs are responsible for the smooth and effective running of board meetings and so are required to:</p> <ul style="list-style-type: none"> <li>ensure that the board of trustees appoints a professional clerk capable of advising the board on its functions and relevant procedure</li> <li>ensure that a development and appraisal process is in place for the clerk that includes a conversation about the pay and remuneration they receive</li> <li>work with the clerk and the Principal to plan for board meetings, ensuring that agendas focus on the board's key responsibilities and strategic priorities and reduce unnecessary paperwork</li> <li>chair meetings effectively and promote an open culture on the board of trustees that allows ideas and discussion to thrive while ensuring clear decisions are reached as quickly as possible</li> <li>collaborate with the clerk to establish effective working procedures and sound committee structures</li> <li>ensure that decisions taken at the meetings of the board of trustees are implemented</li> <li>ensure that complaints made to the board of trustees are dealt with in a timely and effective manner through the adopted complaints procedure</li> </ul>
<b>Communications</b>	<ul style="list-style-type: none"> <li>Maintain positive communications between, school and home supporting academy staff in these as required.</li> </ul>
<b>Marketing and Liaison</b>	<ul style="list-style-type: none"> <li>Establish constructive relationships with academy stakeholders including parents/carers.</li> <li>Promote actively the Trusts/Academy corporate policies.</li> </ul>
<b>Corporate Responsibility</b>	<ul style="list-style-type: none"> <li>Be aware of and comply with policies and procedures relating to child protection and safeguarding, health and safety and general data protection regulations, reporting all concerns to an appropriate person.</li> <li>Contribute to the overall vision, mission and values of the academy.</li> <li>Appreciate and support the role of other professionals.</li> <li>Attend and participate in relevant meetings and training as may be reasonably required.</li> </ul>
<b>Other Specific Responsibilities</b>	<ul style="list-style-type: none"> <li>Carry out duties in the most effective, efficient and economic manner.</li> <li>To continue personal development in the relevant area.</li> <li>To participate in relevant safeguarding and safety training to ensure current knowledge and practice relevant to the area is maintained.</li> </ul>
<b>Safeguarding</b>	<ul style="list-style-type: none"> <li>The Academy is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment and individually take responsibility for doing so.</li> </ul>

#### Person Specification

Criteria	Essential (E) or desirable (D)
Experience working in public office/ Nolan principles	D
Experience of the education sector	D
Experience of leading a team	E

Adapted from NGA documentation

Experience in the role of a school governor/trustee	E
Ability to work as part of a team	E
Good communication skills	E
Able to understand and interpret sensitive information and apply appropriate levels of confidentiality	E
Basic IT skills	E
A commitment to developing skills and knowledge through training and taking up briefings and networking opportunities	D
Specific skills, knowledge, experience as determined by the latest skills audit*	E

\*it is good practice for the board of trustees to undertake regular self-review including skills audit to determine any gaps in expertise that recruitment could support.

# HSA Governance: Vice Chair

## About the role

### Role Outline

<b>Location</b>	<b>Hawes Side Academy, Johnsville Avenue, Blackpool FY4 3LN</b>
<b>Title of post</b>	Vice Chair
<b>Responsible to</b>	Chair
<b>Responsible for</b>	Governance of the trust, leadership of Trustees, line management of the Principal
<b>Liaising with (working relationships)</b>	Principal, Senior Leadership team, teaching and support staff, external agencies and parents/carers
<b>Disclosure level</b>	Enhanced

### Purpose of the role

To lead the continuing development of an academy where everyone matters and everyone succeeds through promotion of community, learning and creativity in harmony.

The vice chair is a leadership role that provides clear support to the chair by:

- acting as a sounding board for the chair
- sharing tasks with the chair when agreed, ensuring a manageable workload
- acting as the chair's deputy in times of absence

### Key Tasks

<b>Main /Core Duties</b>	<p><b>Leading governance the academy</b></p> <p>The vice chair carries out all the duties that are expected of a trustee. In addition, the chair may decide to delegate specific tasks or responsibilities to the vice chair. This could include:</p> <ul style="list-style-type: none"> <li>• co-ordinating the induction of new governors</li> <li>• co-ordinating and monitoring the training and development of individual governors and the board of trustees</li> </ul>
<b>Communications</b>	<ul style="list-style-type: none"> <li>• Maintain positive communications between, school and home supporting academy staff in these as required.</li> </ul>
<b>Marketing and Liaison</b>	<ul style="list-style-type: none"> <li>• Establish constructive relationships with academy stakeholders including parents/carers.</li> <li>• Promote actively the Trusts/Academy corporate policies.</li> </ul>
<b>Corporate Responsibility</b>	<ul style="list-style-type: none"> <li>• Be aware of and comply with policies and procedures relating to child protection and safeguarding, health and safety and general data protection regulations, reporting all concerns to an appropriate person.</li> <li>• Contribute to the overall vision, mission and values of the academy.</li> <li>• Appreciate and support the role of other professionals.</li> <li>• Attend and participate in relevant meetings and training as may be reasonably required.</li> </ul>
<b>Other Specific Responsibilities</b>	<ul style="list-style-type: none"> <li>• Carry out duties in the most effective, efficient and economic manner.</li> <li>• To continue personal development in the relevant area.</li> <li>• To participate in relevant safeguarding and safety training to ensure current knowledge and practice relevant to the area is maintained.</li> </ul>

<b>Safeguarding</b>	<ul style="list-style-type: none"> <li>The Academy is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment and individually take responsibility for doing so.</li> </ul>
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#### Person Specification

<b>Criteria</b>	<b>Essential (E) or desirable (D)</b>
Experience working in public office/ Nolan principles	D
Experience of the education sector	D
Experience of leading a team	E
Experience in the role of a school governor/trustee	E
Ability to work as part of a team	E
Good communication skills	E
Able to understand and interpret sensitive information and apply appropriate levels of confidentiality	E
Basic IT skills	E
A commitment to developing skills and knowledge through training and taking up briefings and networking opportunities	D
Specific skills, knowledge, experience as determined by the latest skills audit*	E

\*it is good practice for the board of trustees to undertake regular self-review including skills audit to determine any gaps in expertise that recruitment could support.

# HSA Governance: Trustee

## About the role

### Role Outline

<b>Location</b>	<b>Hawes Side Academy, Johnsville Avenue, Blackpool FY4 3LN</b>
<b>Title of post</b>	Trustee
<b>Responsible to</b>	Chair of Trustees
<b>Responsible for</b>	Governance of the trust
<b>Liaising with (working relationships)</b>	Principal, Senior Leadership team, teaching and support staff, external agencies and parents/carers
<b>Disclosure level</b>	Enhanced

### Purpose of the role

To contribute to the continuing development of an academy where everyone matters and everyone succeeds through promotion of community, learning and creativity in harmony.

To contribute to the work of the board of trustees in ensuring high standards of achievement for all children and young people in the school by:

- ensuring clarity of vision, ethos and strategic direction
- holding leaders to account for the educational performance of the organisation and its pupils, and the performance management of staff
- overseeing the financial performance of the organisation and making sure its money is well spent
- ensuring key compliances are met in line with DFE and legal requirements

### Key Tasks

<b>Main /Core Duties</b>	<p>As part of the board of trustees, a trustee is expected to</p> <p><b>Contribute to the strategic discussions at board of trustee meetings which determine:</b></p> <ul style="list-style-type: none"> <li>• the vision and ethos of the school</li> <li>• clear and ambitious short and long-term strategic priorities and targets for the school</li> <li>• that all children, including those with special educational needs, have access to a broad and balanced curriculum</li> <li>• the school’s budget, including the expenditure of the pupil premium allocation</li> <li>• the school’s staffing structure and key staffing policies</li> <li>• the principles to be used by school leaders to set required school policies</li> </ul> <p><b>Hold executive leaders to account by monitoring academy performance; this includes:</b></p> <ul style="list-style-type: none"> <li>• agreeing the outcomes from the academy self-evaluation and ensuring they are used to inform the priorities in the academy development and long-term strategic plan</li> <li>• considering all relevant data and feedback provided on request by school leaders and external sources on all aspects of school performance</li> <li>• asking challenging questions of school leaders ensuring senior leaders have arranged for the required audits to be carried out and receiving the results of those audits</li> <li>• ensuring senior leaders have developed the required policies and procedures and the academy is operating effectively according to those policies</li> </ul>
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	<ul style="list-style-type: none"> <li>• acting as a trustee on a specific issue, making relevant enquiries of the relevant staff, and reporting to the board or trustees or committee on the progress on the relevant school priority</li> <li>• listening to and reporting to academy stakeholders: pupils, parents, staff, and the wider community, including local employers</li> </ul> <p><b>Ensure that academy staff have the resources and support they require to do their jobs well; this includes:</b></p> <ul style="list-style-type: none"> <li>• effective appraisal and CPD (Continuing Professional Development)</li> <li>• the necessary expertise on business management</li> <li>• appropriate external advice where necessary</li> <li>• suitable premises and that the way in which those resources are used has impact.</li> </ul> <p><b>When required, serve on panels of trustees to:</b></p> <ul style="list-style-type: none"> <li>• appoint the principal and other senior leaders</li> <li>• appraise the principal</li> <li>• set the principal’s pay and agree the pay recommendations for other staff</li> <li>• hear the second stage of staff grievances and disciplinary matters</li> <li>• hear appeals about pupil Exclusions</li> </ul> <p>The role of a trustee is largely a thinking and questioning role, <b>not</b> a doing role.</p> <p><b>A trustee does NOT:</b></p> <ul style="list-style-type: none"> <li>• write school policies</li> <li>• undertake <b>independent</b> audits of any sort – whether financial or health and safety - even if the trustee has the relevant professional experience</li> <li>• spend much time with the pupils of the school – if you want to work directly with children, there are many other voluntary valuable roles within the school</li> <li>• fundraise – this is the role of the PTFA – the board of trustees should consider income streams and the potential for income generation, but not carry out fundraising tasks</li> <li>• undertake classroom observations to make judgements on the quality of teaching – the board of trustees monitors the quality of teaching in the school by requiring data from the senior staff and from external sources</li> <li>• do the job of the school staff; if there is not enough capacity within the paid staff team to carry out the necessary tasks, the board of trustees need to consider and rectify this</li> </ul>
<b>Communications</b>	<ul style="list-style-type: none"> <li>• Maintain positive communications between school stakeholders</li> </ul>
<b>Marketing and Liaison</b>	<ul style="list-style-type: none"> <li>• Establish constructive relationships with members/ trustees/ academy staff.</li> <li>• Promote actively the Trusts/Academy corporate policies.</li> </ul>
<b>Corporate Responsibility</b>	<ul style="list-style-type: none"> <li>• Be aware of and comply with policies and procedures relating to child protection and safeguarding, health and safety and general data protection regulations, reporting all concerns to an appropriate person.</li> <li>• Contribute to the overall vision, mission and values of the academy.</li> <li>• Appreciate and support the role of other professionals.</li> <li>• Attend and participate in relevant meetings and training as may be reasonably required.</li> </ul>
<b>Other Specific Responsibilities</b>	<ul style="list-style-type: none"> <li>• Carry out duties in the most effective, efficient and economic manner.</li> <li>• To continue personal development in the relevant area.</li> <li>• To participate in relevant safeguarding and safety training to ensure current knowledge and practice relevant to the area is maintained.</li> </ul>

<b>Safeguarding</b>	<ul style="list-style-type: none"> <li>The Academy is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment and individually take responsibility for doing so.</li> </ul>
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**Person Specification**

<b>Criteria</b>	<b>Essential (E) or desirable (D)</b>
Experience working in public office/ Nolan principles	D
Experience of the education sector	D
Understanding of the role of a school governor/trustee	D
Ability to work as part of a team	E
Good communication skills	E
Able to understand and interpret sensitive information and apply appropriate levels of confidentiality	E
Basic IT skills	E
A commitment to developing skills and knowledge through training and taking up briefings and networking opportunities	D
Specific skills, knowledge, experience as determined by the latest skills audit*	

\*it is good practice for the board of trustees to undertake regular self-review including skills audit to determine any gaps in expertise that recruitment could support.



# HSA Governance: Clerk

## About the role

### Role Outline

<b>Location</b>	<b>Hawes Side Academy, Johnsville Avenue, Blackpool FY4 3LN</b>
<b>Title of post</b>	Clerk
<b>Responsible to</b>	Chair of Trustees
<b>Responsible for</b>	Overseeing governance arrangements and ensuring statutory and regulatory requirements are met
<b>Liaising with (working relationships)</b>	Principal, Senior Leadership team, teaching and support staff, external agencies and parents/carers
<b>Disclosure level</b>	Enhanced

### Purpose of the role

To contribute to the continuing development of an academy where everyone matters and everyone succeeds through promotion of community, learning and creativity in harmony.

A professional clerk will contribute towards the efficient functioning of a board of trustees and committees by:

- supporting the efficient and effective operation of the trust board and its committees
- ensuring governance at all levels is carrying out its functions
- leading on development of the trust's governance framework and driving improvements to its systems, processes and structures
- managing and coordinating the delivery and ongoing improvement of governance support across the trust

### Key Tasks

<b>Main /Core Duties</b>	<p>As part of the board of trustees team, the clerk is expected to</p> <p><b>Provide advice to the board of trustees</b></p> <ul style="list-style-type: none"><li>• Advise the board on its core functions and Department for Education (DfE) governance advice, including the Governance Handbook and Competency Framework for Governance</li><li>• Advise the board of trustees on relevant legislation and procedural matters where necessary before, during and after meetings</li><li>• Know where to access appropriate legal advice, support and guidance, and where necessary seek advice and guidance from third parties on behalf of the board of trustees</li><li>• Inform the board of trustees of any changes to its responsibilities as a result of a change in school status or changes in the relevant legislation</li><li>• Advise the board on the regulatory framework for governance (relevant acts and regulations, articles of association, funding agreement and Academies Financial Handbook)</li><li>• Offer advice on best practice in governance, including on committee structures both at board and academy level</li><li>• Advise the board of trustees on best practice in relation to its scheme of delegation for governance</li><li>• Ensure that statutory policies are in place and that staff revise these when necessary</li><li>• Advise on the annual calendar of board of trustees meetings and tasks</li><li>• Send new trustees induction materials and ensure they have access to appropriate documents, including any agreed Code of Conduct</li></ul>
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- Contribute to the induction of trustees taking on new roles, in particular chair of the board or chair of a committee
- Identify priorities, anticipate issues which may arise draw these matters to the chair's attention and propose recommendations

#### Effective administration of meetings

- With the chair and Principal, preparation of focused agenda for board meetings and committee meetings
- Liaise with those preparing papers to make sure they are available on time, and distribute the agenda and papers as required by the articles of association
- Ensure meetings are quorate
- Keeping the board focused on its core strategic priorities and where appropriate in line with the terms of reference
- Record the attendance of trustees at meetings (and any apologies, minuting whether they have been accepted or not), and take appropriate action in relation to absences
- Draft minutes of meetings, indicating who is responsible for any agreed action with timescales, and send drafts to the chair and (if agreed by the board) the Principal
- Circulate the reviewed draft to all trustees/members of the committee, the Principal (if not a trustee) and other relevant bodies within the timescale agreed with the board of trustees
- Follow-up any agreed action points with those responsible and inform the chair of progress

#### Membership

- Advise trustees and appointing bodies in advance of the expiry of a trustee's term of office and the impact of this on the board's capacity and skills mix
- Advise the board of trustees on the DfE's recommendations and guidance in relation to members and trustees
- Establish, in discussion with the board, open and transparent vacancy filling processes and procedures for election and appointment, so elections or appointments can be organised in a timely manner
- Chair the part of the meeting at which the chair is elected, giving procedural advice concerning conduct of this and other elections
- Collate and maintain information about trustees such as any pecuniary interests and, where required, ensure information is published on the website
- Ensure Disclosure and Barring Service (DBS) and other relevant checks are carried out on any trustee where it is appropriate to do so
- Maintain a record of training undertaken by members of the board of trustees
- Maintain trustee meeting attendance records and advise the chair of potential disqualification through lack of attendance
- Advise the board of trustees on succession planning (of all roles, not just the chair)

#### Manage Information

Using the trust's online governance portal or equivalent

- Maintain up to date records of the names, addresses and category of trustees and their term of office, and inform the board of trustees and any relevant authorities of any changes to its membership
- Maintain copies of current terms of reference and membership of any committees, working parties and trustees with specific oversight of an area e.g. SEND
- Maintain a record of signed minutes of meetings in school, and ensure copies are sent to relevant bodies on request and are published as agreed at meetings
- Maintain records of trustee correspondence

	<ul style="list-style-type: none"> <li>• Ensure copies of statutory policies and other school documents approved by the board of trustees are kept in the academy and published as agreed, for example, on the appropriate website</li> <li>• Ensure those clerking at academy level maintain appropriate records</li> <li>• Manage the flow of information from board of trustees to local academy committees and vice versa</li> </ul> <p><b>Additional Services</b></p> <ul style="list-style-type: none"> <li>• The clerk may be asked to undertake the following additional duties:</li> <li>• Clerk any statutory appeal committees/panels the board of trustees is required to convene</li> <li>• Assist with the elections of parent and staff trustees</li> <li>• Maintain a file of relevant guidance documents</li> <li>• Maintain archive materials</li> <li>• Prepare briefing papers for the board of trustees, as necessary</li> <li>• Conduct skills audits and advise on training requirements</li> <li>• Perform such other tasks as may be determined by the board of trustees from time to time</li> <li>• Act as company secretary (where agreed)</li> </ul>
<b>Communications</b>	<ul style="list-style-type: none"> <li>• Maintain positive communications within the board of trustees.</li> </ul>
<b>Marketing and Liaison</b>	<ul style="list-style-type: none"> <li>• Establish constructive relationships with trustees/members.</li> <li>• Promote actively the Trusts/Academy corporate policies.</li> </ul>
<b>Corporate Responsibility</b>	<ul style="list-style-type: none"> <li>• Be aware of and comply with policies and procedures relating to child protection and safeguarding, health and safety and general data protection regulations, reporting all concerns to an appropriate person.</li> <li>• Contribute to the overall vision, mission and values of the academy.</li> <li>• Appreciate and support the role of other professionals.</li> <li>• Attend and participate in relevant meetings and training as may be reasonably required.</li> </ul>
<b>Other Specific Responsibilities</b>	<ul style="list-style-type: none"> <li>• Carry out duties in the most effective, efficient and economic manner.</li> <li>• To continue personal development in the relevant area.</li> <li>• To participate in relevant safeguarding and safety training to ensure current knowledge and practice relevant to the area is maintained.</li> </ul>
<b>Safeguarding</b>	<ul style="list-style-type: none"> <li>• The Academy is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment and individually take responsibility for doing so.</li> </ul>

#### Person Specification

Criteria	Essential (E) or desirable (D)
Experience working in public office/ Nolan principles	E
Experience of the education sector	D
Understanding of the role of a school governor/trustee	E
Ability to work as part of a team	E
Good communication skills	E
Able to understand and interpret sensitive information and apply appropriate levels of confidentiality	E
Basic IT skills	E
A commitment to developing skills and knowledge through training and taking up briefings and networking opportunities	D
Specific skills, knowledge, experience as determined by the latest skills audit*	

\*it is good practice for a board of trustees to undertake regular self-review including skills audit to determine any gaps in expertise that recruitment could support.

## Appendix 2 - Expectations of a Trustee at Hawes Side Academy

All those involved in governance should demonstrate the following attributes:

Attribute	What this looks like on a governing board
<b>Committed</b>	<ul style="list-style-type: none"> <li>Devoting the required time and energy to the role and aiming to achieve the best outcomes for young people</li> <li>Prepared to give time, skills and knowledge to developing themselves and others in order to create highly effective governance</li> </ul>
<b>Confident</b>	<ul style="list-style-type: none"> <li>Having an independent mind, able to lead and contribute to courageous conversations</li> <li>Be willing to express opinions and to play an active role on the board</li> </ul>
<b>Curious</b>	<ul style="list-style-type: none"> <li>Possessing an enquiring mind and an analytical approach</li> <li>Understanding the value of meaningful questioning</li> </ul>
<b>Challenging</b>	<ul style="list-style-type: none"> <li>Providing appropriate challenge to the status quo and asking questions of leaders</li> <li>Not taking information or data at face value and always seeking to improve things</li> </ul>
<b>Collaborative</b>	<ul style="list-style-type: none"> <li>Prepared to listen to and work in partnership with others</li> <li>Understanding the importance of building strong working relationships within the board and with executive leaders, staff, parents and carers, pupils, the local community, the local authority and employers</li> </ul>
<b>Critical</b>	<ul style="list-style-type: none"> <li>Understanding the value of critical friendship which enables challenge and support</li> <li>Self-reflective, pursuing learning and development opportunities to enable both themselves and the board to become as knowledgeable as possible</li> </ul>
<b>Creative</b>	<ul style="list-style-type: none"> <li>Able to challenge conventional ideas and be open-minded about new approaches to problem-solving</li> <li>Recognising the value of innovation and creative thinking to organisational development and success</li> </ul>

### The Seven Principles of Public Life

The Seven Principles of Public Life (also known as the Nolan Principles) apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the Civil Service, local government, the police, courts and probation services, non-departmental public bodies (NDPBs), and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also apply to all those in other sectors delivering public services.

Selflessness	<ul style="list-style-type: none"> <li>Holders of public office should act solely in terms of the public interest.</li> </ul>
Integrity	<ul style="list-style-type: none"> <li>Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.</li> </ul>
Objectivity	<ul style="list-style-type: none"> <li>Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias</li> </ul>
Accountability	<ul style="list-style-type: none"> <li>Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.</li> </ul>
Openness	<ul style="list-style-type: none"> <li>Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.</li> </ul>
Honesty	<ul style="list-style-type: none"> <li>Holders of public office should be truthful.</li> </ul>
Leadership	<ul style="list-style-type: none"> <li>Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.</li> </ul>

### Eight elements of effective governance

NGA has identified eight elements which research and practice tell us are essential for good governance. These apply to whatever type of school you govern. These eight elements are needed to transform the team of diverse people with a range of skills, experience and knowledge into a highly effective governing board.

