

# Devonport High School Academy Trust

## Board's Term of Reference



<b>Terms of Reference</b>	Board of Trustees
<b>Date agreed</b>	September 2025
<b>Review date</b>	As required
<b>Membership</b>	The Board consists of all Trustees
<b>Election of Chair and Vice Chair</b>	<p>The Chair and Vice Chair are elected for a term of office lasting twelve months. Subject to Article 84 of the Articles of Association, the Chair and Vice Chair shall hold office until his/her successor has been elected.</p> <p>The Chair and Vice Chair shall be elected in accordance Articles of Association.</p> <p>The Chair of Trustees should serve as Chair for a maximum period of six years.</p>

<p><b>The Chair of Trustees</b></p>	<p>The Chair has a key role on the Board of Trustees. It is the Chair's responsibility to:</p> <ul style="list-style-type: none"> <li>• Ensure the business of the Board of Trustees is conducted properly, in accordance with legal requirements;</li> <li>• Ensure meetings are run effectively, focusing on priorities and making the best use of time available, and ensuring that all members have an equal opportunity to participate in discussion and decision-making;</li> <li>• Establish and foster an effective relationship with the Headteacher based on trust and mutual respect for each other's roles. The Chair has an important role in ensuring that the Board of Trustees acts as a sounding board to the Headteacher and provides strategic direction.</li> </ul> <p>The Chair or Vice Chair has the power to carry out the functions of the Board of Trustees if a delay in exercising a function is likely to be seriously detrimental to the interests of the school, a pupil at the school or their parents, or a person who works at the school.</p> <p>The Chair of Trustees shall be an ex-officio member of any Executive (except the statutory-Executive) if he or she is not already appointed to that Executive.</p>
<p><b>Board Responsibilities</b></p>	<p>The Board of Trustees retains the following responsibilities:</p> <ul style="list-style-type: none"> <li>• A clear and explicit vision for the future agreed in collaboration with executive leaders, which has pupil progress and achievement at its heart and is communicated to the whole organisation.</li> <li>• Strong and clear values and ethos which are defined and modelled by the Board, embedded across the organisation and adhered to by all that work in it, or on behalf of it.</li> <li>• Strategic planning that defines medium to long-term strategic goals, and development and improvement priorities which are understood by all in the organisation.</li> <li>• Processes to monitor and review progress against agreed strategic goals and to refresh the vision and goals periodically and as necessary including at key growth stages or if performance of the organisation drops.</li> <li>• Mechanisms for enabling the Board to listen, understand and respond to the voices of parents/carers, pupils, staff, local communities and employers.</li> <li>• Determination to initiate and lead strategic change when this is in the best interests of children, young people and the organisation, and to champion the reasons for, and benefits of, change to all stakeholders.</li> </ul>

- Procedures for the Board to set and manage risk appetite and tolerance; ensuring that risks are aligned with strategic priorities and improvement plans and that appropriate intervention strategies are in place and embedding risk management at every level of governance, including regular monitoring and review of the Risk Register.
- Decisions about forming, joining or growing partnerships with other schools and organisations.
- To monitor and review the effectiveness of governance structures and processes.
- To use active succession planning to ensure the Board, and the whole organisation, continues to have the people and leadership it needs to remain effective.
- To determine any proposals for the alteration, closure or change of category of the school.
- To ensure arrangements are in place for the school to comply with all statutory, contractual and other requirements, including the Education Funding Agency's Academies Financial Handbook, the Trust's Funding Agreement and Articles of Association.
- To appoint or remove the Chair and Vice Chair.
- To appoint the Governance Officer.
- To suspend Trustees.
- To ensure processes are in place for appropriate communication between all levels and structure of governance and to students, parents/guardians, staff and other relevant stakeholders.
- To delegate specific responsibilities to Executive and to individual Trustees, and to review annually the establishment, Terms of Reference, Constitution and membership of all Executives.
- To approve documents specified by the Academies Financial Handbook, including the annual budget plan and the statutory accounts.
- To review the most recent financial information to ensure that the Board discharges its duty of effective oversight of funds, as required by the Academies Financial Handbook. This duty is shared with the Resources Executive.
- To decide school session times.

- To make arrangements for staff dismissal appeals.
- To establish a Senior Staff Appointment Panel as required.
- To approve and monitor the School Improvement Plan.

#### **Finance**

- Review an annual budget, ensuring resources are allocated in line with the trust's strategic priorities and curriculum plans.
- Present the annual balanced budget to the trust board for approval.
- Review and approve a realistic three-year financial plan, taking into account the trust's vision, known risks and opportunities.
- Review and approve CIF bids.
- Receive the trust's management accounts in order to monitor the trust's cash position and income and expenditure against the approved budget.
- Review and approve any adjustments to the trust's approved budget (subject to the scheme of delegation)
- Approve expenditure and virements in line with the school's scheme of financial delegation.
- Review pupil number estimates (that underpin revenue projections) termly.
- Report back to each meeting of the trust board, alerting them to potential problems and significant variations to the approved budget at the earliest opportunity.
- Ensure that sufficient funds are allocated for staff pay increments.
- Monitor spending of pupil premium, (and other relevant premiums); ensure that funding is spent effectively and is having the intended impact on pupil outcomes.
- Monitor spending of 16 to 19 Bursary; ensure that funding is spent effectively and is having the intended impact on pupil outcomes.
- Monitor the management of the School Fund.
- Undertake detailed scrutiny and approve the school resource management self-assessment checklist annually
- Ensure that the trust's financial procedures are complied with, including the financial scheme of delegation, which should be reviewed on an annual basis.

- Any incidents of fraud will be investigated by the Chair of Trustees, in line with the whistleblowing and disciplinary policies.
- Review and seek reassurance that any issues identified by benchmarking against similar trusts, internal or external scrutiny are being considered and resolved where necessary.
- Ensure that the trust follows its Procurement Policy and achieves best value for money when acquiring goods and services
- Review, adopt and monitor all policies delegated by the board

#### **Staffing responsibilities**

- Review the staffing structure of the school, at least annually and ensure that sufficient resources are available in line with the aspirations set out in the school improvement plan.
- Ensure effective arrangements are in place for succession planning for all teaching and support staff, with particular reference to middle and senior leadership roles.
- Review staff work-life balance, working conditions and wellbeing, including monitoring staff absence rates
- ensure that staffing procedures (including recruitment procedures) comply with equality legislation and safer recruitment practice.
- Monitor the provision of staff training and CPD, ensuring sufficient budget is allocated.

#### **Estates**

- To liaise with the Business Manager, in developing the Five-Year capital plan and priorities therein and to monitor progress with the Plan.
- To receive reports from the Business Manager, on the conditions of the premises and grounds are monitored and the condition of such is used to properly inform spending.
- To ensure that the site and school assets are secure.

#### **Health and safety responsibilities**

- Review and monitor the school's accessibility plan.
- Receive an annual health and safety audit report and monitor any arising actions.
- Receive termly reports on accident statistics, near misses, incidents of violence or aggression.

#### **Admissions**

- To maintain oversight of the operational aspects of admissions.
- To provide for effective liaison with Year 6 Parents.
- To review the annual admissions process.

- To make arrangements for the Independent Appeals Panel.
- To set admissions limits for Years 7 and 12, and other years as appropriate.

#### **Staffing**

- Review the staffing structure of the school, ensuring that it meets the requirements of the development plan, the curriculum and is affordable.
- Review staff work-life balance, working conditions and wellbeing, including monitoring staff absence rates.
- Monitor the provision of staff training and CPD, ensuring sufficient budget is allocated.

#### **Curriculum**

- To determine curricular policies and principles, in consultation with the Head Teacher, having regard to current statutory requirements.
- To keep an up-to-date statement of the curriculum.
- To consider, review and monitor the broad educational needs of the students.
- To monitor how curriculum principles, enrichment and quality of education are being implemented and their impact on all students.
- To ensure that the curriculum provides students with the knowledge, skills and attributes needed to manage their lives now and in the future.
- To consider, review and monitor the approach to British Values and providing pupils with a global outlook.
- To consider, review and monitor the approach to improving students' health, wellbeing and physical literacy.
- To consider, review and monitor approach to building the cultural capital of students.

#### **Pupil Achievement**

- To monitor student achievement and standards throughout the school, including specific groups: those with special educational needs and disability (SEND), disadvantaged, looked after children and pupils with English as an additional language.
- To monitor the quality of teaching and learning throughout the school and impact of teaching and learning on progress, including performance and future performance trends and risks (including an annual review of examination results).
- How collaborative working practices is raising student achievement and wider outcomes.

#### **SEND**

- To monitor compliance with the statutory requirements for the identification and assessment of students with additional needs.

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|  | <ul style="list-style-type: none"><li>• To receive an annual report from the SENCo Lead on compliance in the last academic year.</li><li>• To ensure that the SEND Annual Parent's report is completed and added to the school's website.</li></ul> |
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**Behaviour and Discipline**

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|  | <ul style="list-style-type: none"><li>• To develop, in consultation with the Head Teacher, staff, parents and students, the general principles of behaviour and discipline and to develop, monitor and review school discipline policies.</li><li>• To support the Headteacher in the maintenance of good behaviour and discipline.</li></ul> |
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**Collective worship**

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|  | <ul style="list-style-type: none"><li>• To develop, monitor and review the school's policy for collective worship.</li><li>• To ensure the allocation of time, qualified staff and other resources to RE.</li></ul> |
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|  | <ul style="list-style-type: none"><li>• To develop, monitor and review the policies listed in the Scheme of Delegation or otherwise assigned to them.</li></ul> |
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**Board Meeting  
Procedures**

**Meeting frequency**

The Board of Trustees shall meet at least monthly.

**Quorum**

For all decisions, except the removal of a Trustee or removal of the Chair of Trustees, the quorum is three Trustees or 1/3 (rounded up to a whole number) of the total number of the membership of the Trustees, excluding any vacancies. The quorum for removal of a Trustee or removal of the Chair of Trustees, shall be 1/3 of the Trustees who are present at the meeting and entitled to vote on those matters.

**Declaration of interest**

Trustees should withdraw from any meeting in which they have a direct or indirect pecuniary interest.

**Decision making**

Every question to be decided at a Board meeting must be determined by a majority of votes of those Trustees present and voting. If there is an equal number of votes, the Chair has a casting vote.

**Emergency or Urgent Decisions**

In the rare circumstances of an emergency Trustees' decision (either at Board or Executive level) being required when it is impracticable to call a meeting, the Chair and/or Vice Chair of Trustees, the Headteacher and Governance Officer will determine the appropriate way in which to deal with the matter. Depending on the urgency of the matter and the specific circumstances, the following procedures should be used in order of preference:

- (1) Trustees' Written Resolution in accordance with the Articles.
- (2) All members of the Board or Executive (as relevant) to be asked by email to give support to a proposed urgent decision by a specific deadline of not less than 3 working days.
- (3) The Chair with the agreement of the Vice Chair and Headteacher following consultation with the Governance Officer be empowered to make a decision on behalf of the Board or Executive. The matter must be reported to Trustees at the next meeting of the Board or Executive as appropriate

**Agendas and Minutes**

The Chair, in consultation with members, the Head Teacher and the Governance Professional/Clerk shall decide on the agenda for each meeting.

The agenda and accompanying papers for the forthcoming meeting shall be distributed at least five days in advance of the meeting, via One Drive.

Accompanying papers for agenda items should generally be distributed with the agenda. Only in exceptional circumstances should a written paper be presented at the meeting.

Confidential items shall be clearly marked 'Confidential'.

Minutes of meetings shall be uploaded to One Drive within ten working days of the meeting.

**Executives**

The Board of Trustees must determine the membership and proceedings of any Executive. The Board of Trustees must also review the Establishment, Terms of Reference, Constitution and Membership of its Executive annually.

In order to enable the Board to focus on its core objectives and responsibilities, Executives will use their delegated power to discuss and determine those matters which fall within their Terms of Reference, and it is expected that other Trustees will be aware of these decisions through the circulation of minutes. **Such delegated matters will not normally be discussed again at Board level, unless there is a specific reason for doing so.**

<p><b>Delegation</b></p>	<p>The Board of Trustees can delegate any of its statutory functions to a Executive, a Trustee, Head Teacher, or holder of an Executive Officer, subject to the delegation being set out in the Scheme of Delegation and subject to the restrictions listed below.</p> <p>Where powers of the Trustees have been delegated to the Headteacher, the Headteacher can further subdelegate those powers subject to the Trustees being informed of such further delegation.</p> <p>The Trustees may impose any conditions on delegated powers and delegated and subdelegated powers may be revoked or alerted by the Trustees or be carried out by the Trustees if not performed properly.</p> <p>The following functions can be delegated to an Executive, but cannot be delegated to an individual:</p> <ul style="list-style-type: none"> <li>• functions relating to the alteration, closure or change of category of the school;</li> <li>• functions relating to the approval of the accounts;</li> <li>• functions relating to admissions;</li> </ul> <p>Any individual or Executive who exercises its delegated powers must report to the Board of Trustees, which it will do so via the minutes of the Executive meeting or at a Board of Trustees meeting.</p> <p>The Chair of Trustees shall be an ex-officio member of any Executive (except the statutory Panels) if he or she is not already appointed to that Executive.</p> <p><b>Matters that cannot be delegated</b></p>
	<p>The Board of Trustees cannot delegate any functions:</p> <ul style="list-style-type: none"> <li>• relating to the constitution of the Board of Trustees;</li> <li>• the appointment or removal of the Chair and Vice Chair;</li> <li>• the appointment of the Governance Professional;</li> <li>• the suspension of Trustees and</li> <li>• the delegation of functions and the establishment of Executives.</li> </ul>