

South York

MULTI-ACADEMY TRUST

Governance Handbook

Incorporating:
Governance Framework and Structure
Framework Procedures for Local Governing Bodies
LGC Composition of Trust Schools
Scheme of Delegation
Codes of Conduct (Trustee and Local Governor)
Guidance on the Election of Parent Governors and Staff Governors

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Links to other procedures	<p>This policy has been adopted by the Board of Directors of the South York Multi Academy Trust and applies to all schools that make up the Trust. This policy applies to each school operating within the South York Multi- Academy Trust.</p> <p>This policy will be monitored regularly by the Multi Academy Trust Board in line with the agreed timetable for policy review or sooner as events or legislation changes require.</p>

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South York Multi-Academy Trust

Introduction: purpose of document

This document is intended for parents, staff and any other interested parties as an introduction to the South York Multi-Academy Trust, its vision and the principles and the mechanisms by which it is governed.

It provides the Trust's vision statement and an accessible summary of its governance arrangements, together with the terms of reference of its various committees, and the detailed scheme of delegation showing the division of responsibilities between the tiers of the governance structure.

SECTION 1 - Trust Vision Statement

support - inspire - achieve - flourish

We are a strong and inclusive partnership of schools working together to support and inspire all children, young people and families in our communities to achieve and flourish.

We hold our schools and ourselves to account to a set of values. Our schools are always:

- **Inclusive** – our schools work tirelessly to meet the needs of every child and young person and overcome disadvantage. We embrace diversity in our communities, and we promote distinctiveness in our schools.
- **Aspirational** - our schools have high expectations for every learner and member of staff. We want our children and young people to make the most of every opportunity in life.
- **Responsible** - our schools have a social responsibility to serve the community first and foremost. We always use our resources responsibly and transparently.
- **Collaborative** - our schools work in equal partnership with one another, and with their school communities. We devolve control and responsibility to the appropriate level, encouraging the participation of those we serve and those who work for us.

SECTION 2 - Nolan Principles

In fulfilling their roles and responsibilities, all those working at Trust and school level will be expected to act in accordance with the seven Principles of Public Life originally published by the Nolan Committee.

□ **Selflessness**

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

□ **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

□ **Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

□ **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

□ **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

□ **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

□ **Leadership**

Holders of public office should promote and support these principles by leadership and example.

SECTION 3 - Governance Framework

Note that this section provides an **accessible summary** of the governance framework.

Governance arrangements for the Trust are set out formally in the Articles of Association, which can be viewed on the South York Multi-Academy Trust website.

In a Multi-Academy Trust (**MAT**) there is only one legal entity accountable for the running of the organisation and all the academies (**schools**) within it, i.e. the **MAT** itself. The MAT is a charitable company limited by guarantee. It has multiple layers of governance: the Members, the Board of Trustees and Board committees. The Board's committees include a Local Governing Body (**LGC**) for each school within the Trust.

□ **Members**

The Members are similar to shareholders, but they act on an unpaid, voluntary basis. They hold the Trustees to account (including through the Annual General Meeting), ensuring that the charitable company achieves its objectives, receiving the financial accounts and annual report, and appointing the majority of Trustees. Members have a 'hands off, eyes on' role of oversight. For more information, see the Articles of Association on the South York Multi-Academy Trust website.

□ **Trustees**

The Board of Trustees is entrusted with directing the charitable company's operations and is responsible for making key strategic decisions. Those serving on the Board are both company directors and charity trustees and are unpaid.

Trustees have delegated responsibility for the following 3 core strategic functions:

- Ensuring clarity of vision, ethos and strategic direction

- Holding the executive leaders to account for the educational performance of the organisation and its pupils, and the performance management of staff; and
- Overseeing the financial performance of the organisation and making sure its money is well spent.

Detailed responsibilities are shown in the Scheme of Delegation at Section 8 (Appendix One).

The Chair of the Trustees has particular responsibilities for co-ordination of Board business, determining agendas, and the conduct of meetings. and determining agendas. The Chair may also exercise emergency powers when required. For more details, see Section 8 (Appendix One).

□ **Chief Executive**

The Chief Executive is responsible for operational oversight of the whole Trust, in addition to their school leadership role, and is accountable to the Board of Trustees. Detailed responsibilities are set out in the tables in Section 8 (Appendix One).

□ **Headteachers**

Headteachers have operational responsibility for their schools, as well as contributing to the effective operation and development of the Trust. A Headteacher's primary accountability is to their school's Local Governing Body (see below) within the context of the scheme of delegation of the Trust. More details are set out in Section 8 (Appendix One).

□ **Committees**

The Board has established Committees to help it to discharge its responsibilities. This will include the following Committees:

- Curriculum, Standards and Governance
- Finance and Resources
- Pay, CEO and CFO Performance Management
- LGC for each school

The Terms of Reference for each Committee/Group will be added to Section 5 as they are determined by Trustees.

It will also establish a Church School Development Group to oversee church school distinctiveness in the Church of England schools within the Trust.

□ **Local Governing Bodies**

Whilst the Board of Trustees is responsible for overseeing all the schools within the Trust, each school will have a Local Governing Body with a specific remit both to advise the Board in respect of their school, to protect its distinctive ethos and character, and to take on responsibility for decision making and oversight of specific areas relating to it.

Their powers are delegated by the Trust Board. Members of Local Governing Bodies are not Trustees and are referred to as Governors.

Detailed responsibilities are set out in Section 8, and framework Procedures for Local Governing Bodies are set out in section 6.

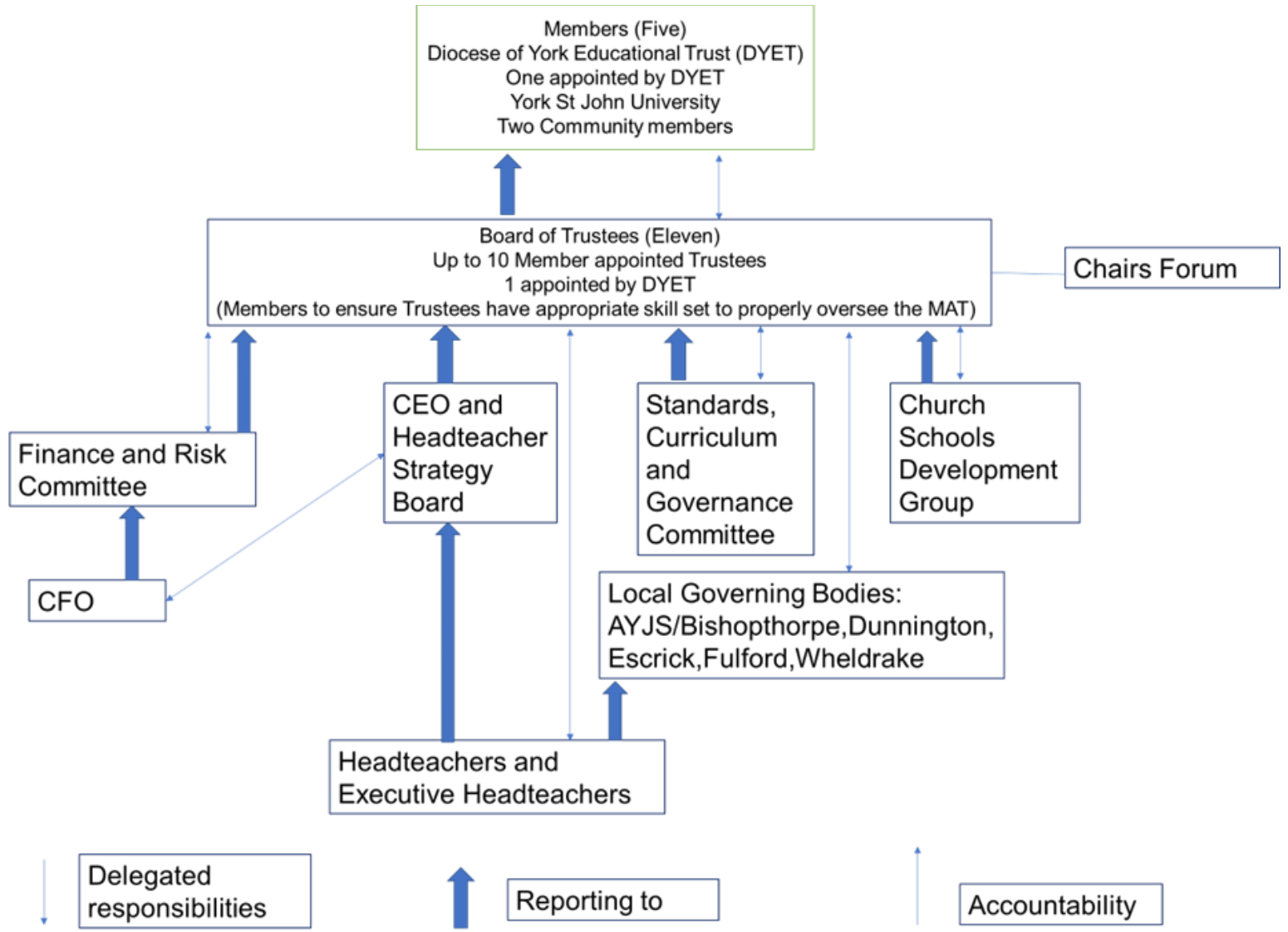
□ Delegation and support structures

The Board of Trustees can delegate responsibilities to any Trustee, Board committee (including a Local Governing Body), the Chief Executive or any other holder of an executive office where they deem this appropriate, subject to any restrictions imposed at law, by the Department for Education (**DfE**), by the Members and by the Trust's constitutional documents.

It is important to remember that where responsibility is delegated to a local level, it is the Trust as the legal entity (not the Local Governing Body) that is ultimately accountable, for example in terms of finance and performance, and as the employer of staff.

The Trust's decision making structures are further supported informally by the Chief Executive and Headteachers' Strategy Board, and the Chairs' Forum.

SECTION 4 South York MAT Governance Structure



SECTION 5 – Framework Procedures for Local Governing Bodies

A. Introduction and approval

1. The following provides a framework for Local Governing Body (**LGC**)
2. In each case, the particular LGC composition and wider Terms of Reference will need to be approved by the Board of Trustees and (in the case of the composition of a Church of England school's LGC) the York Diocesan Board of Education (YDBE). Template LGC composition and key information documents are provided.

B. Size and composition

3. This proposed membership of each school's LGC should reflect the following minimum requirements:
 - A **minimum size** of eight Governors
 - A **minimum** of two **Parent Governors**
 - A **maximum** of two **Staff Governors**
 - A number of **Trust Appointed Governors** reflective of the former school status
 - For Church of England schools, an agreed number of **Foundation Governors** reflective of the former school status.
4. The number of people sitting on the LGC who are employed by the academy should not exceed one third of the total number of Governors.
5. No Trustee may be appointed to serve as a Governor, without this being expressly sanctioned by the Trust Board.

C. Governor appointments

6. It will be essential to ensure that the Governors have the necessary skills and attributes required to contribute to the effective governance and success of the school and a skills audit will need to be completed in order to inform appointment decisions. The LGC shall keep their skills under review and shall promptly notify the Trustees in the event that they do not feel they have an appropriate range of skills and experience to effectively carry out their functions. Due attention will be given to succession planning.
7. In the case of Church of England schools, Governors will need to be committed to ensuring that the Christian Character of the school is secured, preserved and developed. In former Community schools Governors will need to be committed to respecting and promoting their non-designated status. Governors will be required to sign ethos undertakings to reflect this and which (in the case of a Church of England school) have been agreed with the YDBE.
8. The following outlines the particular requirements that will apply to each type of Governor:

(a) Staff Governors

- The LGC (supported by the Headteacher) shall be responsible for the election Staff Governors.
- In order to be eligible for election as a Staff Governor, an individual must be employed under a contract of employment to work at the school. A Staff Governor cannot be the Headteacher.
- The LGC shall invite nominations from staff and, where there are any contested posts, shall hold an election by a secret ballot. All individuals eligible to serve as a Staff Governor shall be entitled to vote in the election.

(b) Parent Governors

- The LGC (supported by the Headteacher) shall be responsible for the election Parent Governors.
- In order to be eligible for election as a Parent Governor, an individual must be a parent of registered pupils at the school.
- The LGC shall invite nominations from parents and, where there are any contested posts, shall hold an election by a secret ballot. All individuals eligible to serve as a Parent Governor shall be entitled to vote in the election.
- If no parents put themselves forward for election the number of Parent Governors required shall be made up by Parent Governors appointed by the LGC.
- In appointing a Parent Governor, the LGC shall appoint a person who is the parent of a registered pupil at a school within the Trust; or where it is not reasonably practical to do so, a person who is the parent of a child of compulsory school age.

(c) Trust Appointed Governors

- In order to be eligible for appointment as a Trust Appointed Governor, an individual must, in the opinion of the Governing Body, have the skills required to contribute to the effective governance and success of the school.
- The LGC shall be responsible for identifying suitable Trust Appointed Governors. All Trust Appointed Governor appointments must have the prior approval of the Chair of the Board of Trustees.

(d) Foundation Governors (for Church of England schools only)

- Foundation Governors will be appointed in the manner outlined in the LGC composition document agreed between the Trust and the YDBE.
- Appointment will take place in accordance with the YDBE's processes and procedures for appointment of Foundation Local Governors (as published by the YDBE from time to time).
- Foundation Governors have a special role in, and responsibility for, ensuring that the Christian Character of their school is secured, preserved and developed and is conducted in accordance with any trust deed relating to the school.

D. Term of Office

9. A four year term of office will apply to all Local Governors save as follows:
 - In the case of Church of England schools, the ex officio Foundation Governor will have no specified term of office.
 - [The term of office for a co-opted member may vary based on individual appointments but will be for a maximum term of four years.]
10. Any Governor wishing to stand for re-election or re-appointment is able to do so, subject to remaining eligible for the relevant category of Governor. However, in general it is not anticipated that Governors shall serve for a period of more than three terms of four years, save where they are an ex officio Governor.

E. Appointment of Chair and Vice Chair

11. The LGC shall, for each school year, at their first meeting in that year, elect a Chair and a vice-Chair from among their number. They shall also elect a Chair/Vice-Chair to fill a vacancy arising in year at the meeting following the occurrence of a vacancy.
12. Any election of the Chair or Vice-Chair which is contested shall be held by secret ballot.
13. A person who is employed by the Trust (whether or not working at the Academy) is not eligible to serve as Chair or Vice Chair.
14. Where the Chair is absent from any meeting or there is at the time a vacancy in the office of the Chair, the Vice Chair shall act as the Chair for the purposes of the meeting. Where the Vice-Chair is also absent or there is at the time a vacancy in the office of Vice-Chair, the LGC shall elect one of their number to act as Chair for the purposes of that meeting, provided the person so elected would have been eligible to stand as Chair.
15. The Chair/Vice-Chair may at any time resign their office by giving notice in writing to the Trustees and the LGC.
16. The Chair/Vice Chair may be removed from office at any time by:
 - the Trustees; or
 - by the Governors.
17. A resolution to remove the Chair or Vice Chair from office which is passed at a meeting of the LGC shall not have effect unless
 - it is confirmed by a resolution passed at a second meeting of the LGC held not less than fourteen days after the first meeting; and
 - the matter of their removal from office is specified as an item of business on the agenda for each of those meetings.
18. Before a resolution is passed by the LGC at the relevant meeting as to whether to confirm the previous resolution to remove the Chair/Vice Chair from office, the person or persons proposing his removal shall at that meeting state their reasons for so doing and the Chair/Vice-Chair shall be given an opportunity to make a

statement in response. The Trustees must be informed of any resolution to remove the Chair/Vice Chair.

The Chair of LGC will work with the Clerk of the Governing Body and the Headteacher to set agendas for meetings, ensure the orderly and efficient conduct of business, monitor the work of any sub-committees and to act as point of contact in relation to the school. The Chair of the LGC (or in the absence of the Chair, the Vice-Chair), has power to carry out functions of the LGC in circumstances where:

- The function needs to be carried out before there is sufficient time to hold a meeting of the LGC (whether in person or by other approved means); and
- The delay occasioned by not doing so would be reasonably likely have a serious detrimental effect to the school, a pupil, parent or member of staff; and
- The Chair (or the Vice Chair as the case may be) is satisfied that in the particular circumstances it is reasonable for him or her to carry out the relevant function without the prior approval of the LGC; and
- He or she has consulted with such other LGC members and/or members of staff as he/she deems reasonable within the time available; and
- In all cases, the Chair of LGC (or the Vice Chair as the case may be) should report to the LGC as soon as is reasonably practicable the action that has been taken along with the reasons why the function had to be carried out by way of Chair's action.

F. Appointment of Clerk

19. The clerk of the LGC shall be appointed by the Board of Trustees, having due regard to the views of the LGC.

G. Meetings

(a) Frequency of meetings

20. The Local Governing Body will meet for a minimum four times a year, normally twice in the autumn term, once in the Spring Term and once in the Summer Term.

(b) Notice

21. Meetings shall be convened by the clerk. In doing so, the clerk shall comply with any direction given by the Trustees, the LGC, or the Chair of the LGC.

22. Any three members of the LGC may, by notice in writing to the clerk, requisition a meeting of the LGC and it shall be the duty of the clerk to convene such a meeting as soon as is reasonably practicable.

23. Each member of the LGC and the Chair of the Trustees shall be given at least seven clear days before the date of a meeting (a) notice of that meeting; and (b) a copy of the agenda of that meeting. If Chair determines on grounds that there are matters demanding urgent consideration, such shorter notice as the Chair deems reasonable shall be permitted.

(c) Minutes and papers

24. Papers will be provided to Governors and attendees with the agenda, at least 7 clear days before a meeting. Papers will be provided electronically.

25. The Clerk to the Local Governing Body will produce draft minutes of its meetings and will forward these to the Chair for checking for accuracy within ten working days. The finalised draft will be circulated to all Governors once available and will be made available to Trustees to scrutinise.
26. The minutes will be agreed by Local Governing Body at the following meeting of the Local Governing Body, with any amendments notified to the Chair of Trustees.
27. Minutes of meetings will be held by the school and Minutes of ordinary meetings, regarded as a public record, will be made available on request. Minutes relating to confidential business will not be disclosed. The LGC should determine which items are to be treated as confidential.

(d) Quorum

28. The quorum for a meeting of the Local Governing Body and any vote on any matter thereat, shall be any three of the Governors (not including more than one Staff Governor or more than one Parent Governor) or, where greater, any one third (rounded up to a whole number) of the total number of members of the LGC at the date of the meeting.
29. The LGC may act notwithstanding any vacancies, but, if the numbers of persons serving is less than the number fixed as the quorum, the continuing persons may act only for the purpose of filling vacancies.
30. The appointment or removal of a LGC member/Chair/Vice Chair requires a quorum of two thirds (rounded up to a whole number) of the persons who are at the time persons entitled to vote on the relevant matter.

(e) Voting

31. Matters to be decided at Local Governing Body meetings must be determined by a majority of the votes of the Governors present and able to vote on the matter. Each Governor present in person shall be entitled to one vote. Where there is an equal division of votes the Chair shall have a casting vote.
32. A resolution to rescind or vary a resolution carried at a previous meeting shall not be proposed at a meeting unless the consideration of the recession or variation of the previous resolution is a specific item of business on the agenda for that meeting.
33. A resolution in writing, circulated to all Governors entitled to vote on the relevant matter, and signed by at least three quarters of such Governors, shall be valid and effective as if it had been passed at a meeting of the LGC duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the members of the LGC and may include an electronic communication by or on behalf of the LGC indicating his or her agreement to the form or resolution.

(f) Attendance

34. Specialist advisors and key personnel such as the CEO, Finance Director and Trustees may request or be invited to attend LGC meetings. Such attendees may speak with the permission of the Chair but where they shall not be entitled to vote.

35. The Chief Executive and/or Chair (or other nominee) of the Board of Trustees are entitled to attend and speak at any Local Governing Body meeting but are not entitled to vote.
36. The Local Governing Body may invite other non-Governors to assist or advise on a particular matter or range of issues. Such attendees may speak with the permission of the Chair but where they shall not be entitled to vote.
37. Members of the Local Governing Body will make full efforts to attend all meetings and will, wherever possible, provide apologies with an explanation of reasons for non-attendance in advance.
38. A register of attendance must be kept for each Local Governing Body meeting and this must be published annually.

H. Conflicts of interest

39. Any LGC member who has or can have any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts or may conflict with their duties as a governor shall disclose that fact to the LGC as soon as they become aware of it. A governor must absent themselves from any discussions of the LGC in which it is possible that a conflict will arise between their duty to act solely in the interests of the school or Trust and any duty or personal interest (including but not limited to any Personal Financial Interest).

I. Resignation/removal/disqualification

40. A Governor may resign by giving notice in writing of their resignation to the Chair of the LGC.
41. All governors will be expected to accept and comply with the Code of Conduct, with removal from the Local Governing Body being a potential consequence of a failure to comply.
42. A Governor must give notice to the Chair of the LGC in the event that they are disqualified from serving as a Governor under paragraph 43 below, and must resign their post forthwith.
43. A person shall be disqualified from serving as a Governor and thereby be ineligible for appointment to the Local Governing Body and, if already appointed, must immediately cease to be a Governor if the relevant individual:
 - is or becomes disqualified from holding office under the Articles;
 - is or becomes disqualified from holding office as a governor of a school or academy;
 - is included in the list of teachers or workers considered by the Secretary of State as unsuitable to work with children or young people; □ is barred from any regulated activity relating to children;
 - is or becomes bankrupt or makes any arrangement or composition with his/her creditors generally; or their estate has been sequestered and the sequestration has not been discharged, annulled or reduced;
 - is convicted of any criminal offence (other than minor offences under the Road Traffic Acts or the Road Safety Acts for which a fine or non-custodial penalty is imposed or any conviction which is a spent conviction for the purposes of the Rehabilitation of Offenders Act 1974);

- has been fined for causing a nuisance or disturbance on school/academy premises during the 5 years prior to or since appointment or election as an LGC member;
- refuses to an application being made to the Disclosure and Barring Services (DBS) for a criminal records check;

44. The Trustees shall have the right to remove or suspend any Local Governing Body member by written notice to the Chair of the LGC.

J. Indemnity

45. Subject to the provisions of the Companies Act 2006, every member of the LGC shall be indemnified out of the assets of the Trust against any liability incurred by him in that capacity in defending any proceedings, whether civil or criminal, in which judgement is given in favour or in which he is acquitted or in connection with any application in which relief is granted to him by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Trust.

Section 6 Local Governing Body composition of the South York Trust schools
(in alphabetical order)

1. Archbishop of York's Church of England CE Junior School
2. Bishopthorpe Infant School
3. Dunnington CE School
4. Escrick CE School
5. Fulford School
6. Wheldrake with Thorganby CE School

Archbishop of York's Church of England Junior School and Bishopthorpe Infant School

Local Governing Body composition



Type of local governor	Number	Specific requirements	Ratified by	Removal	Term of office
Staff local governors	2	Must be a member of staff of the Academy (1 Bishopthorpe, 1 AYJS)	Elected by staff	Trustees	4 years
Parent local governors	2	Must be a parent of a registered pupil to be elected (1 Bishopthorpe, 1 AYJS).	Elected by parents of registered pupils or appointed by the LGC (in specific circumstances)	Trustees	4 years
Trust board appointed local governors	5	Appointment for skills	Trust Board in consultation with the LGC with approval of [the Chair of] the Trust Board.	Trust Board	4 years
Foundation local governors	3	1	The Incumbent (ex officio), being the Principal Officiating Minister of the parish in which the school is situated.	York Diocesan Board of Education (YDBE). The Archdeacon of York is entitled to request removal of the ex officio foundation local governor.	N/A – ex officio appointment
		2	Appointed by the YDBE (following consultation with the Parochial Church Council of the parish in which the school is situated).		YDBE
TOTAL	12				

Dunnington Church of England Primary School
Local Governing Body composition



Type of local governor	No	Specific requirements	Appointed/selected by	Removal	Term of office
Foundation local governors	3	1 The Incumbent (ex officio), being the Principal Officiating Minister of the parish in which the school is situated.	Ex officio, although the Archdeacon of York shall be entitled to appoint a foundation local governor to act in the place of the ex officio foundation local governor whose governorship derives from the office named opposite in the event the ex officio foundation local governor is unable or unwilling to act as a foundation local governor, or has been removed, or where there is a vacancy in the office by virtue of which his or her local governorship exists.	York Diocesan Board of Education (YDBE). The Archdeacon of York is entitled to request removal of the ex officio foundation local governor.	N/A – ex officio appointment
		2 Appointed by the YDBE (following consultation with the Parochial Church Council of the parish in which the school is situated).	YDBE		4 years
Staff local governors	1	Must be a member of staff of the School	Elected by staff under the Trust's Scheme of Delegation	Trust board	4 years
Parent local governors	3	Must be a parent of a registered pupil to be elected.	Elected by parents of registered pupils or appointed by the LGC (in specific circumstances)	Trust board	4 years
Trust Board appointed local governors	5	Appointment for specific skills	LGC, with approval of [the Chair of] the Trust Board	Trust board	4 years
TOTAL	12				

Escrick Church of England Primary School Local Governing Body composition



Type of local governor	Number	Specific requirements	Ratified by	Removal	Term of office
Staff local governors	1	Must be a member of staff of the Academy	Elected by staff	Trustees	4 years
Parent local governors	2	Must be a parent of a registered pupil to be elected.	Elected by parents of registered pupils or appointed by the LGC (in specific circumstances)	Trustees	4 years
Trust board appointed local governors	4	Appointment for skills	Trust Board in consultation with the LGC with approval of [the Chair of] the Trust Board.	Trust Board	4 years
Foundation local governors	2	1	The Incumbent (ex officio), being the Principal Officiating Minister of the parish in which the school is situated.	York Diocesan Board of Education (YDBE). The Archdeacon of York is entitled to request removal of the ex officio foundation local governor.	N/A – ex officio appointment
		1	Appointed by the YDBE (following consultation with the Parochial Church Council of the parish in which the school is situated).		YDBE
TOTAL	9				

Fulford School Local Governing Body Composition



Type of local governor	No	Specific requirements	Appointed/selected by	Removal	Term of Office
Staff local governors	2	Must be a member of staff of the Academy	Elected by staff under the Trust's Scheme of Delegation	Trust Board	4 years
Parent local governors	2	Must be a parent of a registered pupil to be elected	Elected by parents of registered pupils or appointed by the LGC (in specific circumstances)	Trust Board	4 years
Trust Board appointed local governors	7	Appointment for specific skills	LGC, with approval [of the Chair] of the Trust Board	Trust Board	4 years
Total	11				

Wheldrake with Thorganby Church of England Primary School Local Governing Body composition



Type of local governor	No	Specific requirements	Appointed/selected by	Removal	Term of office
Foundation local governors	7	1 The Incumbent (ex officio), being the Principal Officiating Minister of the parish in which the school is situated.	Ex officio, although the Archdeacon of York shall be entitled to appoint a foundation local governor to act in the place of the ex officio foundation local governor whose governorship derives from the office named opposite in the event the ex officio foundation local governor is unable or unwilling to act as a foundation local governor, or has been removed, or where there is a vacancy in the office by virtue of which his or her local governorship exists.	York Diocesan Board of Education (YDBE). The Archdeacon of York is entitled to request removal of the ex officio foundation local governor.	N/A – ex officio appointment
		6 Appointed by the YDBE (following consultation with the Parochial Church Councils of Wheldrake and Thorganby).	YDBE		4 years
Staff local governors	1	Must be a member of staff of the School	Elected by staff under the Trust's Scheme of Delegation	Trust board	4 years
Parent local governors	2	Must be a parent of a registered pupil to be elected.	Elected by parents of registered pupils or appointed by the LGC (in specific circumstances)	Trust board	4 years
Trust Board appointed local governors	2	Appointment specific skills for	LGC, with approval of [the Chair of] the Trust board	Trust board	4 years
TOTAL	12				

Appendix 1: Scheme of Delegation

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2. The organisational structure of governance.
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1. INTRODUCTION

This scheme of delegation is the key document which outlines how governance functions within our MAT, how responsibilities and decision making have been delegated and to whom. It is written as a working document which includes a written summary of financial authorisation levels. It should be read in conjunction with the ESFA Academy Trust Handbook 2021 (Formally known as the Academies financial Handbook) which outlines the ‘musts’ and ‘should’s’ for academy trusts - minimum good practice which all trusts must apply.

It needs to be clearly understood by all parties that this document is subject to annual review to ensure that it remains fit for purpose. The scheme of delegation is supported by a ‘Governance Handbook’ which provides terms of reference and guidance on local governing committee (LGC) working.

Purpose of this Scheme of Delegation

1. The primary purpose of this Scheme of Delegation (**Scheme**) is to inform those involved with the governance of the Multi-Academy Trust (**MAT**) and of schools within it of where key decision making, advisory and other responsibilities lie within the MAT.

2. The Scheme does not contain details of every decision/responsibility or every aspect that will be delegated. Its content will be supplemented by the Trust's Financial Scheme of Delegation, strategic plans, policies and procedures and any direction given by the Members or the Board of Trustees from time to time. In the event that there is uncertainty as to which tier of governance has responsibility for a particular matter, guidance should be sought from the Chair of the Board of Trustees or the Chief Executive (as appropriate).

Sub-delegation

3. The delegations set out in this Scheme are delegated to the specific committees and any individuals unless otherwise directed or agreed by the Board of Trustees. These delegations cannot be exercised other than by the designated committee or individual unless otherwise directed or agreed by the Trust Board.

Chair's action

4. The Chair of Trustees (or in the absence of the Chair, the Vice-Chair), has power to carry out functions of the Trust Board in circumstances where:
 - (a) The function needs to be carried out before there is sufficient time to hold a meeting of the Trust Board (whether in person or by other approved means); and
 - (b) The delay occasioned by not doing so would be reasonably likely have a serious detrimental effect on the Trust, a school, a pupil, parent or member of staff; and
 - (c) The Chair (or the Vice Chair as the case may be) is satisfied that in the particular circumstances it is reasonable for him or her to carry out the relevant function without the prior approval of the Trust Board; and
 - (d) He or she has consulted with such other Trustees and/or members of staff as he/she deems reasonable within the time available.
5. In all cases, the Chair of Trustees (or the Vice Chair as the case may be) should report to the Board as soon as is reasonably practicable the action that has been taken along with the reasons why the function had to be carried out by way of Chair's action.
6. Details of the Chair's action for LGCs are outlined in the information on LGCs in the Governance Handbook Section 6 in E 19.

Adoption, Termination and Amendment of the Scheme

7. This Scheme has been approved by the Board of Trustees and shall apply to each school from the date shown below.
8. In determining this Scheme, the Trustees have been mindful that:

- (a) The Board of Trustees is ultimately accountable for the schools managed by the Trust and as such must be satisfied that delegation takes place only where appropriate and that it receives appropriate reports on matters delegated by it/actions taken in its name to enable appropriate oversight.
- (b) There are some areas where centralised decision making and administration will reduce the burden on the individual schools and will achieve economies of scale.
- (c) The Board will often be reliant on information, advice and guidance from its Committees, school Local Governing Bodies (**LGCs**) and others operating at school level. The Board considers that there is often a powerful case for local involvement in decision making.

9. The level of delegation will reflect the circumstances of the school at the time of delegation. The delegation in this scheme is for schools rated securely good or better where key performance indicators in relation to aspects such as progress and outcomes for students, teaching and learning, behaviour and safety, financial management and safeguarding are validated as such by internal review, external inspection and self-evaluation. The level of delegation will be reviewed and reduced in discussion with the Trust Board where concerns relating to performance e.g. in relation to standards, school categorisation, financial performance or safeguarding may emerge. In these instances certain decisions/responsibilities may be taken back by the Board of Trustees.

10. The Scheme will be subject to formal review annually. However, if the Board deems it appropriate, changes will be made in year. The Board has the absolute discretion to review, amend and/or terminate the Scheme at any time and as it sees fit (subject to complying with the legal requirements upon it).

11. The Board will seek views on the operation of the Scheme and where it is felt that revisions should be made. Where practicable, the Board will give the LGC an opportunity to comment before determining the Scheme of Delegation.

Approved by Trustees on: _____

Applies from: _____

Date of next scheduled review: _____

Governance Framework and Lines of Accountability

South York Multi-Academy Trust is a company limited by guarantee and a charitable trust which is funded by the department for education.

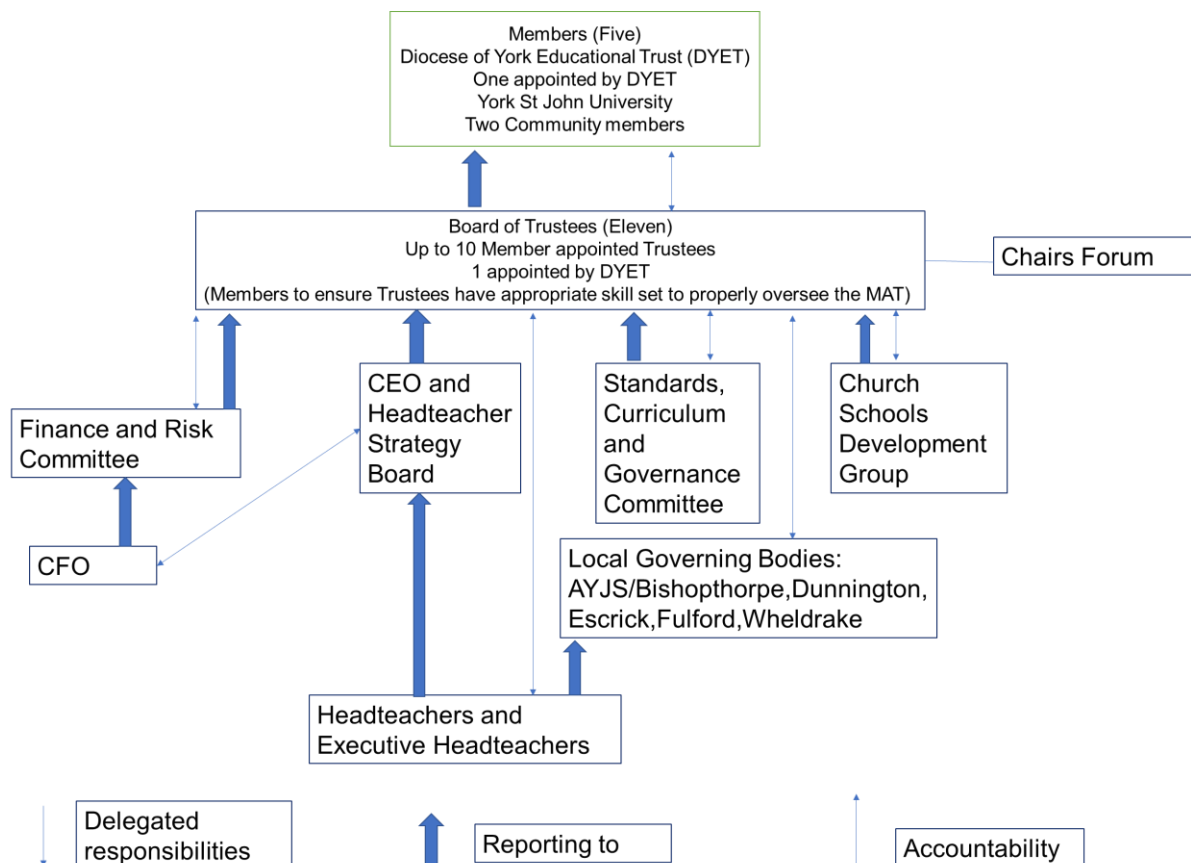
The Trust encourages all member academies to be self-governing. All local governance committees are de facto committees of the Board of Trustees. The members of each local governing committee are referred to as 'Governors'. The structure of each Local Governing Committee will be agreed taking into consideration the unique status of each individual academy as detailed on p.3.

It is important to remember, however, that even where responsibility is delegated to a local level, it is the academy trust as the legal entity (not the Local Governing Committee) that is ultimately accountable, for example in terms of finance and performance, and as the employer of staff.

Our model of local governance is that of 'earned autonomy' we reserve the right to intervene to provide support and/or limit the delegated authority of the local governing committee, subject to the routine review of the following indicators:

- School performance.
- Financial and administrative performance.
- Ofsted/SIAMS inspection outcome.
- Leadership or governance capacity or capability.

2. The Organisational Structure of Governance



The Members: One member is the Diocese of York Educational Trust (the 'Corporate member'); one member appointed by the Diocese of York Education Trust, two members appointed from the Community, and a fifth member appointed by the University of York St John. They must not be employees of the MAT nor occupy staff establishment roles on an unpaid voluntary basis.

The Board of Directors: There are between 7 and 10 directors who serve as charity trustees and company directors. They are appointed and can be removed by the Members. One Trustee is appointed by the Diocese of York Educational Trust. Directors are responsible and accountable for the strategic business of the MAT. The Board of Directors meets six times per annum and delegates strategic oversight to three committees; Finance and Audit, Standards, Curriculum and Governance, and the Church Development Group.

The CEO: Is appointed by and reports to the Trustees. The CEO has delegated responsibility for the operation of the MAT and the performance of the trust's schools. The CEO leads the Headteacher Board, professionally manages all headteachers and directs the work of all MAT officers.

Local Governing Committees: The Board of Trustees delegates responsibilities to local governing committees (LGC). A cluster governing committee (CGC) may be formed when there is an executive leadership arrangement in place across two or more schools. In these instances, one governing committee has delegated oversight of more than all the schools in the cluster. There is no duplication of governance where cluster governing committees are in operation. Chairs of LGC/CGC are nominated to the Board by LGCs. Diocesan representatives are appointed to each CE legacy school - In VA legacy schools, diocesan representatives may make up a majority membership. At least two places are reserved for parents on each committee. Headteachers are not members of our LGC/CGCs. LGC and CGC report to the Board of Trustees on a termly basis, via the CEO.

Church Academies:

LGC (9 governors): 2 foundation, 4 Trust appointed, 2 parents, 1 staff

LGC (12 governors) :3 foundation, 5 Trust appointed, 2 parents, 2 staff

LGC (12 governors): 2 foundation, 5 Trust appointed, 3 parents, 1 staff

Community Academies:

LGC (11 governors): 7 Trust Appointed, 2 parents, 2 staff

VA Church Academies:

LGC (12 Governors) 7 foundation, 2 Trust appointed, 2 parent, 1 staff

Headteacher Board: The headteacher Board is made up of Heads from each school. It meets monthly and provides advice and support to the CEO.

Headteachers and Executive Headteachers: Headteachers are appointed by the Board of Trustees. Headteachers are not members of their local Governing Committees.

- ***We expect and require governors at all levels within the Trust to abide by the Trust's Code of Conduct, offering their voluntary service to our schools in line with the Nolan principles of Public Life.***

3. Matters reserved for Members:

- The members will meet a minimum of once per year (the AGM). Extraordinary meetings can also be called by Trustees or Members. 2 members are required to be quorate.
- Appointing or removing Trustees.
- Amendment of the articles of association, subject to any restrictions created by the funding agreement or charity law. This requires the written consent of the Diocesan Board of Education and DFE must agree.)
- By special resolution, to issue direction to Trustees to take specific action
- Appointment of Trust auditors
- The power to change the name of the charitable company and ultimately to wind up the MAT

4. Matters reserved for the Board of Trustees and delegated to its committees

- The Board of Trustees will meet at least each half term, and 3 members of the Board are required to be quorate.
- Appoint a governance professional to provide appropriate support for the Board.
- Determine the vision and values of the trust and ensuring the clarity of vision and ethos.
- Setting the strategic direction
- Holding the executive to account for the educational performance of the schools, the outcomes for pupils and the performance management of staff.
- Oversight of financial performance, to ensure that money is well spent.

Specifically, the Board of Trustees is responsible for;

- Applying the highest standards of conduct and ensuring robust governance to secure effective financial management.
- Appointing a chair and Vice chair (annually).
- Appointing a CEO
- Appointing a CFO
- Appointing a Governance professional to act as clerk to the Board.
- Approving the appointment of chairs for committees including LGC/ CGC.
- Determining how it will discharge its responsibilities (i.e. the delegating of powers to committees).
- Complying with the charitable objects of the Trust, with company* and charity law and with the contractual obligation under the funding agreement (of 2018.)
- Approving a written scheme of delegation of financial powers and responsibilities for Finance and Resources Committee, Standards Curriculum and Governance Committee, the Church Schools Development Group, the CEO, the executive team, Local /Cluster Governing Committees, Executive Heads and Headteachers. This is in line with the Boards ultimate responsibility for ensuring that there are appropriate operational and financial controls in place, in line with the EFSA guidance and the Financial Policy of the MAT.
 - Holding of any bank account in which any money is deposited and then operated by the finance department/ schools in the name of South York MAT
 - To undertake prudent financial planning to ensure the financial viability of the MAT.
 - Agreeing the financial parameters and benchmarks for the Trust and advising on the setting of school and Trust budgets annually.
 - Agree and set a policy for the holding of reserves.
 - Formal approval of balanced school budgets and the annual consolidated Trust Budget, notifying ESFA within 14 days of any proposed deficit which it cannot address after taking into account unspent funds from previous years.
 - Submit budgets to the ESFA (Forecast return outturn May, Budget forecast return three year July)
 - To agree the levels of financial delegation to the CEO, including discretionary awards.
 - Set a transparent proportionate and justifiable approach to the setting of executive pay.
 - Agree and publish a whistleblowing procedure.
 - Authorising significant financial transactions, as outlined in section 13.
 - Informing DFE if there is any irregularity as required.
 - To ensure that there is an appeal process in place for Headteachers to challenge the budget share for their school on the grounds of unreasonableness or unfairness.
 - To safeguard and promote the welfare of children
 - To have regard to any statutory guidance on safeguarding issued by the secretary of state
 - To ensure the suitability of staff, supply staff, volunteers, contractors and proprietors.
 - To follow the Home Office's 'Revised Prevent Duty Guidance: for England and Wales' and the DFE's general advice 'Protecting children from Radicalisation.'

- To have regard to the Health and Safety at work Act 1974 and its obligations as an employer.
- To have regard for and follow the DFE's Health and Safety: responsibilities and duties for Schools as well as the Health and Safety Executive (HSE) guidance for Education.
- To manage Asbestos appropriately (Control of Asbestos Regulations 2012)
- To manage the school estate strategically and maintain it in a safe working condition.
- To meet obligations in matters of equalities legislation. (Equalities Act 2004)
- To meet obligations in respect of GDPRUK 2021.
- To commission a regular external review of the effectiveness of governance.

*As described in sections 170-181 of the companies Act 2006.

Matters delegated to Finance and Resources Committee

- The committee will meet 3 times each year with the attendance of 3 Trustees required to be quorate.
- There will be 5 members of the committee appointed by the Board. At least 3 members will be members of the Board.
- Neither the CEO or CFO can serve as members as they are required to report to the committee.
- The chair of the committee will be appointed by the Board.

The key function of the committee is to act on behalf of the board within its delegated powers to ensure that there is effective risk-based internal scrutiny in place, to provide robust strategic oversight of risk, to monitor the integrity of financial systems and statements of internal control and to provide additional oversight of progress of budgets.

Responsibilities

- To appoint external auditors
- receiving and acting on reports from the CFO/CEO and reporting back to the Board of Trustees.
- Oversight of the audited financial statements prior to their routine submission to ESFA.
- To monitor the progress of the Trust Budget, considering budgetary control reports at each Finance and Audit meeting, with relevant explanations and documentation.
- To monitor the progress of school budgets with relevant explanations and documentation to ensure that budgets remain on track.
- Review of the effectiveness of internal systems to identify and manage risk.
- To direct the Trust's program of internal scrutiny.
- To report to the Board on the adequacy of controls and the management of risk.
- To receive annual internal audit reports and monitor management response to any recommendations made.
- Report any significant financial matters or any actual overspend to the Board.
- Ensure that there are sufficient checks of assets and an asset register in place.
- Ensure that there is a Trust Risk Register in place.
- To receive reports on the effectiveness of LGC/CGC's and advise the necessary action to be taken.
- To advise on the appropriateness of financial policies including pay and remuneration. For central and senior staff, including Headteachers.
- Providing additional scrutiny of due diligence reviews for school wishing to join the MAT and advising the Board accordingly.
- authorised to obtain independent professional advice if it sees fit.

Matters delegated to the Standards, Curriculum and Governance Committee

- The committee will meet 3 times each year with the attendance of 3 Trustees required to be quorate.
- There will be 5 Members of the committee appointed by the Board. At least 3 members will be members of the Board.
- The CEO cannot serve as a member as they are required to report to the committee.

- The chair of the committee will be appointed by the Board.

The key function of the committee is to act on behalf of the Board providing scrutiny and oversight of school performance, effectiveness of leadership and management, the progress of school improvement strategy and the quality and impact of the performance development of staff and report back to the Board.

Responsibilities

- To monitor pupil attendance across all schools receiving reports three times a year and advising on the actions necessary.
- To monitor pupil standards and achievement across all schools, receiving reports three times a year and advising on the actions necessary.
- To ensure that each LGC/CGC is discharging its obligations with respect to the distinctive character of worship and religious education in their school as determined by the school's designation prior to conversion.
- To support the development of the quality of education across the schools, receiving reports from the CEO/ Director of Education and advising necessary steps to be taken.
- To hold the CEO to account for the performance management of staff across all schools and within the central team and the effective provision of CPD.
- To receive reports from the CEO/Director of Education on the quality of leadership and management and the progress of school improvement strategy.
- To receive Ofsted /SIAMS Inspection reports and advise on actions necessary.

Matters delegated to the Church Schools Development Group

- The committee will meet twice each year with the attendance of 2 Trustees required to be quorate.
- There will be 5 Members of the committee appointed by the Board. At least 2 members will be members of the Board.
- The CEO cannot serve as a member as they are required to report to the committee.
- The chair of the committee will be appointed by the Board.

The key function of the committee is to act on behalf of the Board providing scrutiny and oversight of school performance, effectiveness of leadership and management, the progress of school improvement strategy and the quality and impact of the performance development of staff and report back to the Board.

Responsibilities

- To provide scrutiny of Church of England (CE) distinctiveness of CE academies, including by:
 - Receiving reports from the academies in relation to, and using that information to monitor:
 - Their compliance with the legal requirements for Collective Worship;
 - Their compliance with the legal requirements for Religious Education, achievement in RE and the extent to which the Statement of Entitlement is being followed;
 - Staff training and development;
 - LGC composition, training and development, accountability structures and Foundation Local Governor vacancies;
 - Review of admissions policies in accordance with Diocesan guidance;
 - Engagement with and support provided by the Diocese;
 - Compliance with the academies' trust deeds and documentary framework.
 - Scrutinising and advising on **academy policies** which relate to the **Christian vision and values** of the academies, including RE; Collective Worship; SMSC and spiritual development; behaviour/anti-bullying; relationships and sex education, equality and inclusion; SEND; mental health and wellbeing; assessment and marking.
 - Monitoring and evaluating the progress of each Church school against the success criteria of the SIAMS schedule, with a holistic focus upon the inspection

question: “*How effective is the school’s distinctive Christian vision, established and promoted by leadership at all levels, in enabling pupils and adults to flourish?*”, including by:

- Receiving and scrutinising the academies’ SIAMS self- evaluation judgements;
- Receiving and scrutinising individual academy SIAMS Self Evaluation Forms on a rotational basis;
- Gathering and reviewing any additional information they may require to review whether there are any particular risks to the schools not being judged to be a “good” Church school at inspection.
- Scrutinising the Scheme(s) of Delegation for CE academies to ensure that the CE foundation is appropriately reflected;
- Ensuring completion and collection of ethos undertakings from Members, Trustees and Local Governors and their provision to the Diocese as required.
- Providing the Trustees with an overview of each Church school’s performance as a Church school, including advising the Trustees:
 - If the academy’s self-evaluation assessment represents a decline from the last SIAMS inspection in any of the key areas;
 - If they have concerns about the self-evaluation judgements reached by the academy or other material concerns about matters coming to light in their review of the academy’s self-evaluation judgements or other reported information;
 - If any action that should be taken as a result of the above;
- Advising the Trustees on completion of reports to Members relating to CE academy distinctiveness.
- To provide support to Church of England (CE) academies in the Trust on their CE foundation, including by:
 - Encouraging CE academies to reflect on and develop their church school distinctiveness and effectiveness in light of their Christian vision and values;
 - Encouraging and supporting schools to draw on and develop best practice in the MAT;
 - Championing high quality, distinctive Collective Worship across CE academies;
 - Promoting high quality Religious Education in accordance with the Statement of Entitlement;
 - Championing training for Members, Trustees, Local Governors and staff on CE school distinctiveness and effectiveness, and CE school leadership and governance;
 - Advising academies going through leadership recruitment process on the extent to which faith aspects should be taken into account, linked to the academy’s former status.

5. Matters Delegated to the CEO

- Delegated responsibility for the operation of Trust and is accountable for the successful performance of its schools.
- To act as the Accounting Officer for the Trust, accountable for value for money, regularity and propriety.
- Authorising financial transactions, as outlined in section 13.
- Delegated responsibility for safeguarding.
- Ensuring that the performance management of Headteachers is carried out (in partnership with the LGC)
- Delegated responsibility for determining the structure and recruitment of a central Team.
- Leading the executive management team of the MAT, and accountable to the Board for the performance of the management team.
- Delegating executive functions to members of the wider management team.

- Leading education for the Trust- determining strategy, professional development and approving school improvement plans.
- Attending Ofsted/SIAMS inspections..
- Approving the appointment of the Executive headteachers and headteachers (in partnership with LGCs).
- Approving Headteacher and central staff salary awards.
- Determining the need for a CGB to support executive leadership.
- Recommending restricting the delegated powers of a LGC/ CGB to the Board.
- Carrying out (or overseeing) due diligence enquiries for schools wishing to join the Trust.
- Recommending the onboarding of a new school to the Board.
- Leading the Headteacher Board.
- Recommending the appointment of LGC/CGC Chairs to the Board.
- Attending LGC/CGC meetings as necessary
- Reporting /Liaising with RSC, DFE.ESFA as required.
- Reporting to the Board and its committees and attending Board meetings as required.

6. Matters Delegated to the Headteacher Board

The Headteacher Board will meet monthly with 50% attendance required to be quorate.

- Development, scrutiny and maintenance of Trust-wide school policies.
- Scrutiny of school performance.
- Development of curriculum models.
- Provision of school: school support.
- Scrutiny of due diligence for schools wishing to join.
- Sharing of best practice.

7. Matters delegated to Local or Cluster Governing Committees

Local Governing Committees (LGCs) will be established at each school. A Cluster Governing Committee (CGC) may be established where schools share an executive leadership model. This decision is delegated to the CEO. In either case the Board of Trustees delegate responsibility for:

- Providing focused governance to each school or across several schools at local level.
- Championing and upholding the vision and values of the Trust.
- Upholding each school's unique ethos and values including, where applicable discharging its obligations with respect to the distinctive character of worship and religious education in their school as determined by the school's designation prior to conversion.
- Holding the Headteacher to account as a critical friend and advocate for the pupils
- Monitoring the school's key performance indicators for finance and performance on behalf of the Trust.

Responsibilities

Delegated responsibilities are grouped under eight broad areas of focus as follows:

- I. Academy Improvement
- II. Finance, procurement and risk
- III. Safeguarding, pupil behaviour and welfare
- IV. HR, recruitment and appraisal
- V. Health and safety and compliance
- VI. Asset management- including estates.
- VII. Admissions
- VIII. Community, Parents and Partnerships- includes communication and complaints.

8. Matters delegated to Executive Headteachers and Headteachers

- Delegated responsibility for the leadership, operational management and financial control of their school or schools.
- Implementing and supporting the development of trust policies
- Developing and delivering a credible school improvement plan(s)
- Directing teaching and learning
- Maintaining robust arrangements for the safeguarding of children
- Responsibility for health and safety within the school site(s)
- Responsibility for the management of risk
- With the LGC.CGC, responsibility for recruitment of staff
- Responsible for the performance management and professional development of staff
- Maintaining accurate and up to date records for pupils, staff and of financial processes
- Monitoring the school budget (s) on a monthly basis, reviewing income and expenditure and reporting actual or potential overspending to the LGC/CGC
- Authorisation of financial transactions (orders) in line with those outlined in the Financial Scheme of Delegation.
- Ensuring that arrangements for collecting income, procuring goods and services and the security of assets are in accordance with agreed financial policies.
- Certifying staff payments including any agreed overtime on a monthly basis.
- Maintaining the probity of financial processes, ensuring adequate operational controls are in place and that the agreed internal controls are complied with.
- Maintaining appropriate security of the site and its assets, including data.
- Ensuring that all records and documents are available for audit as required.
- Ensuring that the school is prepared for any Ofsted or SIAMs inspection.
- Ensuring that school develops good and effective relationships with pupils, parents, staff and the wider community.

9. Matters delegated to other staff.

The Chief Financial Officer (CFO)

- Preparing, in consultation with the CEO an annual draft budget plan for consideration by the Finance and Resources Committee.
- Monthly monitoring of expenditure and income against the approved budget, the compilation of reports on the financial position and the reporting of any material overspending.
- Authorisation of financial transactions as laid out in the Finance Handbook.
- Operating financial controls in line with the Academies Handbook (2021) and any other regulations.
- Ensuring appropriate segregation of duties between staff responsible for processing orders, receiving deliveries and processing payments.
- Implementing appropriate insurance arrangements and informing the Board of any material eventuality that could affect such arrangements.
- Maintaining an appropriate register of material assets held by the Trust.

Clerk to the Board of Trustees

- Provide advice and support to the Board of Trustees in respect of the Articles of Association, Funding Agreements, scheme of delegation and other operational documents and policies of the Trust. To enable them to discharge their duties.
- Maintain records of all members, Trustees and governors.
- Publish the governance arrangements including details of members, Trustees, chairs, accounting officer, chief financial officer, headteachers, chairs of Local Governing Committees and local governors, their business and pecuniary interests and attendance at meetings and minutes as required.

- To ensure that all conflicts of interest are documented and reported.
- Ensuring that the governance information published on the Trust website is up to date.
- Professionally clerk all meetings of the Board and its committees within agreed timescales.
- Support the Chair and CEO to prepare appropriate agenda, collate and distribute supporting papers in a timely fashion.
- Support the development of committee terms of reference, as required.
- Record the attendance of Trustees at meetings, taking agreed action in respect of non-attendance.
- Support the recruitment process for new Trustees when vacancies arise, as required.
- Maintain a register of pecuniary interests.
- With the Trust operations Lead, support the maintenance of the single central record to include the DBS of all Trustees.
- Maintain a record of Trustees correspondence.

Other staff

Members of staff with delegated responsibilities to manage matters of finance, including raising orders must do so in accordance with agreed financial policy and procedures. The following staff are so authorised:

Budget holders

Headteachers

School business managers

The following staff are authorised to receive and check goods.

School Support staff nominated by the Headteacher/Executive Headteacher

10. Model of Governance

Area	Board of Trustees	CEO and Executive	LGC or CGC	Headteacher /Executive Headteacher
Academy Improvement	<ul style="list-style-type: none"> • Ensures clarity of Vision and values • Sets the Strategic Direction of the Trust. • Holds the CEO to account for academy improvement and all operational matters. • Approves Trust expansion. • Appoints Standards, Curriculum and Governance Committee • Appoints the Church Schools Improvement Group • Receives the outcome of Ofsted /SIAMS Inspections 	<ul style="list-style-type: none"> • Approves academy values, culture and ethos. • Develops academy improvement strategy. • Approves academy targets and improvement plans. • Develops Trust expansion strategy. • Determines categorisation and brokers support for academies • Monitors all aspects of academy improvement • Approves policies recommended by Headteacher Board. • Arranges for attendance at Ofsted/SIAMS inspection and feedback • Approves post-Ofsted, SIAMS action plans as necessary 	<ul style="list-style-type: none"> • Supports and challenges the Headteacher to implement Academy culture and ethos • where applicable challenge and support the distinctive character of worship and religious education of the Academy. • Supports, challenges and monitors delivery of the Academy improvement plan(s) • Supports and agrees the implementation of the curriculum model. • Monitors the impact of the curriculum on pupil outcomes • Understands challenges the accuracy of school self -evaluation • Commissions and supports requests for additional school 	<ul style="list-style-type: none"> • Develops and implements the strategy, culture and ethos of the Academy in line with the Trust Vision and Values. • Where applicable ensures that the distinctive character of religious worship and education is upheld. • Develops the Academy improvement plan(s) • Develops and implements the curriculum model • Leads assessment processes in line with statutory requirements • Ensures the accuracy of school self-evaluation • Engages with Ofsted/SIAMS

Area	Board of Trustees	CEO and Executive	LGC or CGC	Headteacher /Executive Headteacher
			improvement capacity. <ul style="list-style-type: none"> • Determines and appoints Governor advocates to align with school improvement priorities. • Engages with and Attends Ofsted/SIAMS inspection feedback 	inspection processes
Finance, procurement and risk	<ul style="list-style-type: none"> • Accountable for financial compliance, and sustainability. • Appoints Finance and Resources Committee • Approves Finance and procurement Policy • Approves Reserves policy • Approves Trust Budget and central recharge • Approves Academy budgets • Approves whistleblowing policy • Approves pay policy 	<ul style="list-style-type: none"> • Develops finance, procurement and related policies and processes • Develops MAT procurement strategy • Recommends Academy, Central and Trust budgets including level of central recharge to Board. • Responsible for MAT finance • Supports academies to manage their budgets 	<ul style="list-style-type: none"> • Support and challenges the academy budget(s). • Monitors the progress of the budget. • Accountable for ensuring that SEND, Pupil Premium, Sports Premium, catch-up and any other additional funding is spent appropriately • Monitors the effectiveness of procurement and any shared services • Receives audit reports and agrees 	<ul style="list-style-type: none"> • Develops and delivers the academy budget(s) within agreed targets and parameters. • Develops accurate 3 year forecasting and proposes budget plan(s) • Implements finance policy and procedures • Advises the CEO /LGC/CGC on the performance of any shared services. • Manages the Academy Risk register(s), reporting

Area	Board of Trustees	CEO and Executive	LGC or CGC	Headteacher /Executive Headteacher
	<ul style="list-style-type: none"> • Approves financial statements • Oversees the strategic management of risk. 	<ul style="list-style-type: none"> • Monitors academy financial performance against agreed KPIs • Develops the Trust risk register • Determines a schedule of internal audit of schools • Monitors the progress of audit action plans 	<p>any action plan to address areas of weakness.</p> <ul style="list-style-type: none"> • Monitors the academy risk register on a termly basis. 	<p>to the LGC/CGC/Executive</p> <ul style="list-style-type: none"> • Participates with any audit process, preparing action plans to address any weakness identified.
Safeguarding, pupil behaviour and welfare	<ul style="list-style-type: none"> • Approves safeguarding policy • Accountable for safeguarding and the welfare of pupils. 	<ul style="list-style-type: none"> • Develops Trust safeguarding policy and processes. • Advises on the suitability of Academy behaviour and welfare policies • Monitors, challenges and reports to the Board the effectiveness of safeguarding, behaviour and welfare policies. • Investigates any serious safeguarding concerns. 	<ul style="list-style-type: none"> • Appoints a governor advocate for Safeguarding and e-safety • Appoints a governor advocate for SEND • Gives scrutiny and approves Academy safeguarding, behaviour and welfare policies. • Monitors and challenges the effectiveness of safeguarding, behaviour and welfare policies. • Reviews a headteacher decision 	<ul style="list-style-type: none"> • Develops Academy behaviour and welfare policies in line with statutory obligations. • Ensures compliance with safeguarding policies and processes • Evaluates the impact of safeguarding, behaviour and welfare policies

Area	Board of Trustees	CEO and Executive	LGC or CGC	Headteacher /Executive Headteacher
			to permanently exclude a pupil	
HR, recruitment and appraisal	<ul style="list-style-type: none"> • Accountable for HR compliance • Approves HR policies • Recruits CEO, CFO and Executive team. • Appoints Clerk • Approves appointment of Headteacher/Exec HT • Manages the appraisal of the CEO • Chair investigates any Complaint against CEO or CFO. • Approves remuneration Increases • Has power to dismiss CEO/CFO/Executive team. 	<ul style="list-style-type: none"> • Develops Trust policies and protocols for recruitment, appraisal of staff and HR processes ; • Recruits and recommends the appointment of a headteacher/Exec HT • Recommends remuneration of Headteacher/Exec HT central team and any proposed annual increase to Board • Investigates any conduct matter or capability concern of a Headteacher/Exec HT or member of Exec Team. • Responsible for HT Exec HT/ Exec team appraisal • Has the power to dismiss HT/Exec HT/ central team 	<ul style="list-style-type: none"> • Challenges and supports proposed staffing structures • Chair leads on complaints against the Headteacher (unless of a safeguarding nature) • Contributes to the recruitment of a Headteacher • Contributes to the recruitment of staff • Contributes to any HR panel as requested • Approves pay awards below level of HT, subject to pay policy • Contributes to HT appraisal • Has the power to dismiss below the level of HT/Executive HT 	<ul style="list-style-type: none"> • Implements HR policies and procedures including appraisal • Develops staffing structures • Liaises with Unions • Recruits, develops and retains staff in line with delegated powers • Recommends pay awards • Recommends dismissal to the LGC/CGC, having consulted the CEO

Area	Board of Trustees	CEO and Executive	LGC or CGC	Headteacher /Executive Headteacher
Health and safety and compliance	<ul style="list-style-type: none"> • Accountable for Compliance • Approval of all statutory policies 	<ul style="list-style-type: none"> • Determines H&S policy and statutory policies. • advises academies on compliance. • Commissions audits of H&S compliance across Academies • Co-ordinates FOI responses on behalf of the Trust 	<ul style="list-style-type: none"> • Appoints a governor advocate for health and safety. • Monitors compliance with H&S policy 	<ul style="list-style-type: none"> • Chairs the Academy H&S committee • Ensures compliance with all statutory requirements and Trust policies • Addresses H&S matters with urgency. • Provides information for SAR and FOI requests.
Asset management-including estates	<ul style="list-style-type: none"> • Accountable for compliance with capital projects • Approves capital projects • Accountable for tendering/procurement for capital projects 	<ul style="list-style-type: none"> • Maintains a register of Trust assets • Ensures adequate security of the Trust assets including DATA. • Responsible for recommending approval of capital projects • Responsible for developing tender/procurement, ensuring that it complies with procurement law. 	<ul style="list-style-type: none"> • Supports and challenges the development of capital projects 	<ul style="list-style-type: none"> • Maintains a register of Academy assets • Ensures adequate security of the site and its assets including Data. • Initiates proposals for capital works • Monitors the delivery of capital works

Area	Board of Trustees	CEO and Executive	LGC or CGC	Headteacher /Executive Headteacher
Admissions	<ul style="list-style-type: none"> • Accountable for legal compliance • Approves admissions policies 	<ul style="list-style-type: none"> • Advises on decision to increase/decrease PAN • Scrutiny , challenge and approval of admissions policy. 	<ul style="list-style-type: none"> • Consults with stakeholders re any changes to the admissions policy • Governors are the admissions authority for the academies. 	<ul style="list-style-type: none"> • Proses PAN to the LGC/CGC/CEO • Contributes to admissions appeals • Abides by the decision of any appeals panel
Community, Parents and Partnerships	<ul style="list-style-type: none"> • Approves the SYMAT Logo and Brand 	<ul style="list-style-type: none"> • Develops guidance for marketing and communications including website(s) • Develops model communication plans • Advises on media engagement • Leads on Trust communication plans • Oversees/advises on crisis communications strategy and reputational risk • Leads on marketing and the development of the Trust Brand • Leads on the development of partnerships 	<ul style="list-style-type: none"> • Supports community engagement • Attends academy and community events as representatives of the Academy as invited • Receives and contributes to newsletters and other school communication as invited. • Convenes a panel to investigate complaints at stage 2 • Contributes to a panel hearing for ay complaint at stage 3 	<ul style="list-style-type: none"> • Develops and Delivers Academy communication strategy (strategies) • Manages parental, community and stakeholder engagement including media engagement • Leads multi-agency, Diocesan and LA engagement for the Academy (Academies) • Engages in partnership working • Reports to the CEO on potential reputational risk • Responds to any complaints made to

Area	Board of Trustees	CEO and Executive	LGC or CGC	Headteacher /Executive Headteacher
		including clusters of schools <ul style="list-style-type: none"> • Attends Academy and community events on behalf of the Trust as invited. • Evaluates the management of complaints across the Trust 		the academy at stage 1.

11. Decision Matrix For Delegated Compliance Matters

Accountable Responsible Ac R Advises. Consulted. Ad C

Area	Key tasks	Board of Trustees	CEO/Exec Team	LGC/CGC	Headteacher/Executive HT
Finance	Trust wide compliance and probity	Ac			
	Finance policy and processes	R	R		
	Scheme of delegation	Ac	R		
	Taking action to address Audit or Risk concerns Responsible for	Ac	R		
	Preparation of EFSA returns and annual report	Ac	R		
	Accountable for appropriate use of SEND, Pupil Premium, Sports Premium and catch-up funds	Ac	Ad	Ac	R
	Recording and publishing of pecuniary and business interests	Ac	Ad	Ac	
	Accountable for Financial probity of the Academy /Academies	Ac	Ad		Ac R
	Managing the Trust Risk Register	Ac	R		
	Managing the Academy Risk Register		Ad	Ac	R
	Trust procurement policy and processes	Ac	R		
Safeguarding	Responsible for ensuring best value for public monies at academy level.		Ad		R
	Accountable for legal responsibilities	Ac	R	R	R
	Approval of policy	R	R	Ac (Academy)	R
	Trust Policy development		R		
	Responsible for Safeguarding	Ac		Ac	R
	Responsible for implementing policy and processes including referrals of children at risk	Ac	R		R
	Appoints a suitable person as Designated Safeguarding Lead (DSL)				Ac R
	Develops multi-agency links to support safeguarding of pupils	Ac	Ad	C	R
investigating complaints against HT/Exec HT		Ac R			
Manages complaints against staff		Ad		Ac R	

Area	Key tasks	Board of Trustees	CEO/Exec Team	LGC/CGC	Headteacher/Executive HT
	Provides support to academies re children at Risk		R		
	Monitoring implementation of policy across the Trust	Ac	R	C	
	Approves Academy Policy/policies		Ac	R	
	Monitors compliance with Academy policy/policies		Ac	R	
Health and Safety (H&S)	Accountable for H&S across the Trust	Ac	R		
	Approves H&S policy	R			
	Develops H&S policy and procedures.	Ac	R	C	C
	Responsible for Academy H&S, the implementation of policy and Academy procedures.	Ac	Ad		R
	Reporting on statutory requirements eg RIDDOR.		Ac		Ac R
	Monitors and audits compliance and statutory obligations	Ac	R	R	
	Monitor Academy /academies compliance	Ac	Ad	R	
	Convenes and chair Academy H&S committee		Ad		Ac
	Attends H&S committee			R	
	Shares best practice across the Trust		R		R
SEND	Accountable for legal responsibilities	Ac			
	Approves SEND Policy	R			
	Develops SEND policy	Ac	R	C	
	Delivers SEND policy	Ac	R		R
	Supports the implementation of policy across the academies	Ac	R		
	Approves local SEND policy	Ac	A	Ac	R
	Monitors and challenges the impact of SEND provision on outcomes for pupils with SEND	Ac	R	R	
	Develops SEND local policy and offer		Ad	C	R
	Appoints qualified SENDCO		Ad		Ac R
	Responsible for compliance with statutory requirements	Ac	Ad	Ac	R
Admissions	Accountable for legal requirements and responsibilities	Ac	R		R
	Approves Policy	R			
	Develops policy		R	C	R
	Consults with stakeholders		R Ad	C	Ac

Area	Key tasks	Board of Trustees	CEO/Exec Team	LGC/CGC	Headteacher/Executive HT
	Manages appeals			Ac	R
	Negotiates fair access requests and in-year placements		A		R
Equalities	Accountable for compliance with legislation	Ac	R	Ac	R
	Approves policy	R		C	C
	Sets Equality objectives	Ac	R	Ac	R
	Develops policy	Ac	R	C	C
	Scrutinises gaps, anomalies and complaints and protected characteristics	Ac	R	R	R
	Monitors the performance of groups	Ac	R	R	R
	Responsible for compliance at Trust level	Ac	R		
	Responsible for compliance at Academy level		Ad	Ac	R
Exclusions	Accountable for the legal responsibilities related to exclusion	Ac		Ac	R
	Develops exclusion policy and protocols		R		
	Approves Academy exclusion policy	R			
	Takes the decision to exclude a pupil		A		Ac R
	Informs all parties				R
	Reviews an exclusion decision			R	
FOI	Accountable for fulfilling FOI, data protection and Statutory obligations	Ac	R	Ac	R
	Responds to an FOI request	Ac	R		R
	Responds to a SAR- Trust level	Ac	R		
	Responds to a SAR – Academy level	Ac			R
	Provides information to support requests		R	C	C

12. Summary Of Financial Authority.

See Financial Approvals – Appendix 1 of the Financial Scheme of Delegation.

13. Summary of Governor and Staffing Authority

- A. Authority to take decision
- R. Recommend
- C. Consulted

Task	Members	Board of Trustees	CEO/Executive	LGC/CGC	Headteacher/Exec HT
Appoint/remove Trustees	A				
Appoint/remove CEO		A			
Appoint/remove CFO		A			
Appoint/remove chairs of committee		A	R: LGC/CGC chairs		C
Appoint Clerk to Board		A			
Appoint LGC/CGC Clerk				A	
Appoint/Remove Executive HT		A	R		
Appoint/Remove HT		A	R		
Appoint/Remove Staff			A	A Academy staff	R
Annual Pay Policy		A	R	C	C
Annual Pay award		A	R	C	R

Appendix 2: TRUSTEE CODE OF CONDUCT

Adopted by Trust Board:

Last Review Date: September 2023

Next Review Date: September 2024

1 PURPOSE

- 1.1 This code sets out the expectations of and commitment required from Trustees in order for the Board of Trustees to properly carry out its work within the South York Multi-Academy Trust ('the Trust'), its schools and the community. It applies to all Trustees.

2 STRATEGIC FUNCTIONS OF THE BOARD OF TRUSTEES

- 2.1 The Trust's Scheme of Delegation outlines the Board of Trustees' strategic functions. Specific responsibilities may be altered or removed by the trustees in line with the Scheme of Delegation.

3 ROLES AND RESPONSIBILITIES

- 3.1 Trustees must always have the achievement and well-being of the children at heart.
- 3.2 Trustees understand the purpose of the board and its strategic role.
- 3.3 Trustees will fulfil their role and responsibilities as set out in the scheme of delegation.
- 3.4 Trustees understand how the role of the board differs from and works with others including the Headteacher and where appropriate, executive leaders, local governing bodies and academy committees.
- 3.5 Trustees have no legal authority to act individually, except when the Board of Trustees has given delegated authority to do so, and therefore will only speak on behalf of the Board of Trustees when specifically authorised to do so.
- 3.6 Trustees accept collective responsibility for all decisions made by the Board of Trustees or its delegated agents. Trustees will not speak against majority decisions outside the Board

of Trustees meeting.

- 3.7 Trustees recognise that the Board of Trustees works as a collective body whose business must be clearly recorded, and therefore will always seek to conduct Board of Trustees business and formal decisions in properly constituted meetings, except where matters have been specifically delegated.
- 3.8 Trustees must act fairly and without prejudice, and in so far as they have responsibility for staff, will fulfil the obligations of a good employer.
- 3.9 Trustees will not discriminate against anyone and will work to advance equality of opportunity for all.
- 3.10 Trustees will encourage open governance and will act appropriately.
- 3.11 Trustees will consider carefully how decisions may affect the Trust's schools and the community.
- 3.12 Trustees have a responsibility to maintain and develop the ethos and reputation of the Trust and its schools. Their actions within the Trust, its schools and the local community will reflect this.
- 3.13 In making or responding to criticism or complaints, Trustees will follow the relevant procedures.
- 3.14 Trustees will actively support and challenge the CEO and be constructive and respectful when holding them to account.
- 3.15 Trustees will respect the difference in roles between the Board of Trustees, Local Governing Boards and staff, ensuring that all bodies work collectively for the benefit of the organisation.
- 3.16 Trustees will respect the role of the CEO, headteachers and senior leaders, and their responsibility for the day to day management of the organisation, and will avoid any actions that tend to undermine such responsibility.
- 3.17 Trustees will adhere to the Trust's rules and policies and the procedures of the Trust as set out by the relevant governing documents and law.
- 3.18 When formally speaking or writing in a governing role, Trustees will ensure their comments reflect current organisational policy even if this may be different from their personal views.
- 3.19 Trustees are representatives of the Trust and its schools. When communicating in either official or private capacity (including on social media), Trustees will be mindful of and strive to uphold the aims, values, ethos and reputation of the Trust. Trustees must disclose or seek direction on any issues which may potentially conflict with their responsibilities to the Trust and its schools. In all cases, Trustees have a responsibility to assess the potential conflict. Actual or perceived conflicts of interest **must** be disclosed.

4 COMMITMENT

- 4.1 Accepting office as a Trustee involves the commitment of significant amounts of time and energy.
- 4.2 Trustees will each involve themselves actively in the work of the Board of Trustees, and accept a fair share of responsibilities, including service on committees or working groups.
- 4.3 Trustees will make full efforts to attend all meetings and where they cannot attend will

explain in advance why they are unable to. Trustees should ensure they attend a minimum of 65% of Board and Committee meetings on which they serve during each academic year (i.e. 1st September to 31st August).

- 4.4 Trustees will be aware that regular non-attendance at Trust Board meetings can lead to eventual disqualification.
- 4.5 Trustees prepare for meetings by reading all papers beforehand.
- 4.6 Trustees will get to know the Trust and its schools well and respond to opportunities to involve themselves in Trust based activities.
- 4.7 Trustees will visit the Trust's schools, with all visits arranged in advance and undertaken within the framework established by the school's Local Governing Board.

- 4.8 When visiting the Trust's schools in a personal capacity (i.e. as a parent or carer), Trustees will maintain our underlying responsibility as a Trustee.
- 4.9 Trustees will consider seriously their individual and collective needs for induction, training and development, and will undertake relevant training.
- 4.10 Trustees accept that in the interests of open governance, their full names, date of appointment, terms of office, roles on the Board of Trustees, attendance records, relevant business and pecuniary interests, category of trusteeship and the body responsible for appointing them will be published on the Trust's website.
- 4.11 Trustees accept that information relating to them will be collected and logged on the DfE's national database.

5 RELATIONSHIPS

- 5.1 Trustees will strive to work as a team in which constructive working relationships are actively promoted.
- 5.2 Trustees will work to create an inclusive environment where each board member's contributions are valued equally.
- 5.3 Trustees will express views openly, courteously and respectfully in all communications with other Trustees and local governors, the Clerk to the Trust Board and school staff both in and outside of meetings.
- 5.4 Trustees will support the Chair in their role of ensuring appropriate conduct both at meetings and at other times.
- 5.5 Trustees will confront malpractice by speaking up against and bringing to the attention of the relevant authorities' any decisions and actions that conflict with the Seven Principles of Public Life (see appendix 1) or which may place pupils at risk.
- 5.6 Trustees will endeavour to answer queries from other Trustees in relation to delegated functions and take into account any concerns expressed, and will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- 5.7 Trustees will seek to develop effective working relationships with the executive leaders, staff and parents, Local Governing Boards, the Local Authority and other relevant agencies and the community.

CONFIDENTIALITY

- 6.1 Trustees will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school.
- 6.2 Trustees will exercise prudence at all times when discussions regarding Trust or school business arise outside a Board of Trustees meeting.
- 6.3 Trustees will not reveal the details of any Board of Trustees vote.
- 6.4 Trustees will ensure all confidential documents and information are held and disposed of appropriately, and will take reasonable steps to preserve the confidentiality and integrity of any IT systems they use in connection with Trustees' business.
- 6.5 The requirements relating to confidentiality will continue to apply after a Trustee or a school's local governor leaves office

7 CONFLICTS OF INTEREST

- 7.1 Each Trustee will record any pecuniary or other business interest (including those related to people they are connected with) that they have in connection with the Board of Trustee's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting they will offer to leave the meeting for the appropriate length of time.
- 7.2 Trustees accept that the Register of Business Interests will be published on the Trust's website.
- 7.3 Trustees will also declare any conflict of interest at the start of any meeting where relevant.
- 7.4 Trustees will act in the best interests of the Trust as a whole and not as a representative of any group, even if elected to the Board of Trustees.

8 BREACHES OF THIS CODE OF CONDUCT

- 8.1 If a Trustee believes this Code has been breached, they should raise this issue with the Chair who will investigate following the procedure set out in Appendix 2.
- 8.2 If the Chair is believed to have breached this Code, Trustees should refer the matter to the Vice- Chair of Trustees.
- 8.3 The process for addressing breaches of this code of conduct is set out in Appendix 2a.

9 DATE AGREED

Trustees advised that they fully understand and agreed to abide by this Code of Conduct. Date: 21st September 2023

Appendix 2a **BREACHES OF THIS CODE OF CONDUCT**

- 1.1 If a Trustee breaches the Code of Conduct during a meeting, the Chair of Trustees should inform that Trustee either immediately, or at the end of the meeting, as appropriate. The Clerk is responsible for alerting the Chair of Trustees to any breach of the Code of Conduct that may have occurred.
- 1.2 If any Trustee believes that a Trustee may have breached the Code of Conduct, they should alert the Chair. The Chair should investigate.
- 1.3 If the Chair has reason to believe that a Trustee has breached the Code of Conduct, they should in the first instance arrange to meet with that Trustee to explain the breach and ensure that the Trustee understands their duties and responsibilities. The Chair may recommend further training. If the Trustee does not make themselves available within 20 working days of the request for a meeting, or if they do not undertake the training within an agreed period of time, this will be deemed a further breach of the Code of Conduct and the matter will be escalated as per 1.4 below.
- 1.4 If a Trustee persistently breaches the Code of Conduct, or repeats a breach after it has been discussed informally, or the Chair of Trustees (in consultation with the Clerk/Governance Adviser) deems the breach to be particularly serious, the Chair should write to that Trustee formally warning them that they are in breach of the Code of Conduct. The letter should clearly state which sections(s) of the Code of Conduct the Trustee has breached, and the consequences of any further breaches. The Chair should offer to meet with the Trustee to explain the contents of the letter further, and may recommend training or other personal development.
- 1.5 If a Trustee breaches the Code of Conduct after receiving a written warning, or does not undertake any recommended training within an agreed period of time, the Chair of Trustees should write again to the Trustee and clearly state which sections(s) of the Code of Conduct has been breached, what actions the Chair has taken to address the breaches, and what the impact of the Trustee's behaviour has been on the Trust and/or its schools. The Chair of Trustees should submit all relevant evidence.
- 1.6 The Chair of Trustees will convene a panel of at least three Trustees within 15 days to consider the evidence, the severity of the breach(es) and the impact of the breach(es) on the Trust and its schools. If the Chair of Trustees has had prior involvement with the complaint at any stage, s/he should not sit on the panel. The Trustee in question should attend the panel to explain their actions. The panel may recommend suspension of the Trustee for a period of up to six months; they may recommend that the Trustee undertake a specified program of training or personal development; or they may recommend that the Members remove the Trustee (or any combination of these actions).
- 1.7 Any decision to remove a Trustee can only be taken by the Members. Where a Trustee is concerned that the Chair of Trustees may have breached the Code of Conduct, they should report this in confidence to the Vice-Chair of Trustees. The Vice-Chair of Trustees should investigate the report. If the Vice-Chair of Trustees finds evidence that a breach has occurred, s/he should then follow this process as above, taking the role of the Chair of Trustees in the process.
- 1.8 Exceptional misconduct is misconduct of such a serious and fundamental nature that it breaches the relationship between the Trustee and the Trust. In the event that a Trustee

commits an act of exceptional misconduct, the matter should be referred immediately to the Members, who may summarily suspend or remove the Trustee.

This process does not affect or limit the power of Members to remove any Trustee at any time under the Scheme of Delegation (A2:5), if they reasonably believe that that Trustee's conduct or presence is not in the best interests of the Trust or its schools.

Appendix 3: LOCAL GOVERNOR CODE OF CONDUCT

Adopted by the local governor board of all South York MAT academies:

Last Review Date: September 2023

Next Review Date: September 2024

1 PURPOSE

- 1.1 This code sets out the expectations of and commitment required from local governors in order for the local governing body to properly carry out its work within the school, the South York Multi-Academy Trust ('the Trust') and the community. It applies to all local governors in the Trust's schools.

2 STRATEGIC FUNCTIONS OF THE LOCAL GOVERNING BODY

- 2.1 The Trust's Scheme of Delegation outlines the local governing body's strategic functions. Specific responsibilities may be altered or removed by the trustees in line with the Scheme of Delegation.

3 ROLES AND RESPONSIBILITIES

- 3.1 Governors must always have the achievement and well-being of the children at heart.
- 3.2 Governors have no legal authority to act individually, except when the local governing body has given us delegated authority to do so, and therefore will only speak on behalf of the local governing body when specifically authorised to do so.
- 3.3 Governors accept collective responsibility for all decisions made by the local governing body or its delegated agents. Governors will not speak against majority decisions outside the local governing body meeting.
- 3.4 Governors recognise that the local governing body works as a collective body whose business must be clearly recorded, and therefore will always seek to conduct local governing body business or discussions in properly constituted meetings, except where matters have been specifically delegated.
- 3.5 Governors must act fairly and without prejudice, and in so far as they have responsibility for staff, will fulfil the obligations of a good employer.
- 3.6 Governors will encourage open governance and will act appropriately.
- 3.7 Governors will consider carefully how decisions may affect the community and other schools.
- 3.8 Governors have a responsibility to maintain and develop the ethos and reputation of the school and the Trust. Their actions within the school and the local community will reflect this.

- 3.9 In making or responding to criticism or complaints, governors will follow the relevant procedures. 3.10 Governors will actively support and challenge the headteacher.
- 3.11 Governors will respect the difference in roles between the local governing body and staff, ensuring that both bodies work collectively for the benefit of the organisation.
- 3.12 Governors will respect the role of the headteacher and senior leaders, and their responsibility for the day to day management of the organisation, and will avoid any actions that tend to undermine such responsibility.
- 3.13 Governors will adhere to the school's rules and policies and the procedures of the local governing body and the Trust as set out by the relevant governing documents and law.
- 3.14 When formally speaking or writing in governing role, governors will ensure their comments reflect current organisational policy even if this may be different from their personal views.
- 3.15 Local governors are representatives of the school and the Trust. When communicating in either official or private capacity (including on social media), governors will be mindful of and strive to uphold the aims, values, ethos and reputation of the Trust. Governors must disclose or seek direction on any issues which may potentially conflict with their responsibilities to the Trust and its schools. In all cases, Governors have a responsibility to assess the potential conflict. Actual or perceived conflicts of interest **must** be disclosed.

4 COMMITMENT

- 4.1 Accepting office as a local governor involves the commitment of significant amounts of time and energy.
- 4.2 Governors will each involve themselves actively in the work of the local governing body, and accept a fair share of responsibilities, including service on committees or working groups.
- 4.3 Governors will make full efforts to attend all meetings and where they cannot attend will explain in advance why they are unable to.
- 4.4 Governors will get to know the school well and respond to opportunities to involve themselves in school activities.
- 4.5 Governors will visit the school, with all visits arranged in advance and undertaken within the framework established by the local governing body.
- 4.6 When visiting the school in a personal capacity (i.e. as a parent or carer), governors will maintain our underlying responsibility as a local governor.
- 4.7 Governors will consider seriously their individual and collective needs for induction, training and development, and will undertake relevant training.
- 4.8 Governors accept that in the interests of open governance, their full names, date of appointment, terms of office, roles on the local governing body, attendance records, relevant business and pecuniary interests, category of local governor and the body responsible for appointing them will be published on the school's website.
- 4.9 Governors accept that information relating to them will be collected and logged on the DfE's national database of governors.

5 RELATIONSHIPS

- 5.1. Governors will strive to work as a team in which constructive working relationships are actively promoted.
- 5.2. Governors will express views openly, courteously and respectfully in all communications with other local governors and trustees, the clerk to the governing board and school staff both in and outside of meetings.
- 5.3. Governors will support the chair in their role of ensuring appropriate conduct both at meetings and at other times.
- 5.4. Governors will endeavour to answer queries from other local governors in relation to delegated functions and take into account any concerns expressed, and will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- 5.5. Governors will seek to develop effective working relationships with the executive leaders, staff and parents, the trust, the local authority and other relevant agencies and the community.

CONFIDENTIALITY

- 6.1 Governors will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school.
- 6.2 Governors will exercise prudence at all times when discussions regarding school/trust business arise outside a local governing board meeting.
- 6.3 Governors will not reveal the details of any local governing board vote.
- 6.4 Governors will ensure all confidential documents and information are held and disposed of appropriately, and will take reasonable steps to preserve the confidentiality and integrity of any IT systems they use in connection with governors' business.
- 6.5 The requirements relating to confidentiality will continue to apply after a local governor/trustee/academy committee member leaves office

7 CONFLICTS OF INTEREST

- 7.1 Each governor will record any pecuniary or other business interest (including those related to people they are connected with) that they have in connection with the local governing board's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting they will offer to leave the meeting for the appropriate length of time.
- 7.2 Governors accept that the Register of Business Interests will be published on the school/trust's website.
- 7.3 Governors will also declare any conflict of interest at the start of any meeting where relevant.
- 7.4 Governors will act in the best interests of the school as a whole and not as a representative of any group, even if elected to the local governing board.

8 BREACH OF THIS CODE OF CONDUCT

- 8.1 If a governor believes this code has been breached, they should raise this issue with the chair who will investigate following the procedure set out in Appendix 2.

8.2 If the chair is believed to have breached this code, governors should refer the matter to the chair of trustees.

8.3 The process for addressing breaches of this code of conduct is set out in Appendix 2.

9 DATE AGREED

Governors advised that they fully understand and agreed to abide by this Code of Conduct.

Date:

BREACHES OF THIS CODE OF CONDUCT

- 1.1 If a local governor breaches the Code of Conduct during a meeting, the chair of governors should inform that local governor either immediately, or at the end of the meeting, as appropriate. The clerk is responsible for alerting the chair of governors to any breach of the Code of Conduct that may have occurred.
- 1.2 If any local governor believes that a local governor may have breached the Code of Conduct, they should alert the chair. The chair should investigate.
- 1.3 If the chair has reason to believe that a local governor has breached the Code of Conduct, they should in the first instance arrange to meet with that local governor to explain the breach and ensure that the local governor understands their duties and responsibilities. The chair may recommend further training. If the local governor does not make themselves available within 20 working days of the request for a meeting, or if they do not undertake the training within an agreed period of time, this will be deemed a further breach of the Code of Conduct and the matter will be escalated as per 1.4 below.
- 1.4 If a local governor persistently breaches the Code of Conduct, or repeats a breach after it has been discussed informally, or the chair of governors (in consultation with the Clerk/Governance Adviser) deems the breach to be particularly serious, the chair should write to that local governor formally warning them that they are in breach of the Code of Conduct. The letter should clearly state which sections(s) of the Code of Conduct the local governor has breached, and the consequences of any further breaches. The chair should offer to meet with the local governor to explain the contents of the letter further, and may recommend training or other personal development.
- 1.5 If a local governor breaches the Code of Conduct after receiving a written warning, or does not undertake any recommended training within an agreed period of time, the chair of governors should refer the issue to the chair of trustees. This should be in writing and clearly state which sections(s) of the Code of Conduct has been breached, what actions the chair has taken to address the breaches, and what the impact of the local governor's behaviour has been on the school, the local governing body or the Trust. The chair of governors should submit all relevant evidence.
- 1.6 The chair of trustees will convene a panel of at least three trustees within 15 days to consider the evidence, the severity of the breach(es) and the impact of the breach(es) on the school or the Trust. If the chair of trustees has had prior involvement with the complaint at any stage, he should not sit on the panel. The chair of governors and the local governor in question should both attend the panel to explain their actions. The panel may suspend the local governor for a period of up to six months; they may require that the local governor undertake a specified program of training or personal development; or they may recommend that the Trust Board removes the local governor (or any combination of these actions).
- 1.7 Any decision to remove a local governor can only be taken by the Trust Board at a properly convened meeting.

- 1.8 Where a local governor is concerned that the chair may have breached the Code of Conduct, they should report this in confidence to the chair of trustees. The chair of trustees should investigate the report. If the chair of trustees finds evidence that a breach has occurred, he should then follow this process as above, taking the role of the chair of governors in the process.
- 1.9 Exceptional misconduct is misconduct of such a serious and fundamental nature that it breaches the relationship between the local governor and the Trust. In the event that a local governor commits an act of exceptional misconduct, the matter should be referred immediately to the Trustees, who may summarily suspend or remove the local governor.
- 1.10 This process does not affect or limit the power of trustees to remove any local governor at any time under the Scheme of Delegation (Annex 1, 5.1c), if they reasonably believe that that local governor's conduct or presence is not in the best interests of the academy or the Trust.

Appendix 4: Guidance on the Election of Parent Local Governors.

Introduction

South York Multi-Academy Trust's Articles of Association determine that the responsibility for election of parent local governors is held by the Board of Trustees, but may be delegated. In the South York Multi-Academy Trust (MAT), the Board of Trustees has delegated authority for parent local governor elections to Headteachers.

It is recommended that Headteachers conduct elections as soon as reasonably possible after receiving a resignation or, where a term of office is due to expire, on a basis which ensures that a new local governor is able to take up office when his/her predecessor's term ends.

1.0 Eligibility

All parents and carers of registered pupils at the school on the date by which nominations for Parent Local Governor are sought, are eligible to nominate candidates, to vote and, subject to the disqualifications referred to below, to stand for election to the Local Governing Body of the school.

The term "parent" includes a guardian and everyone who has parental responsibility for the child.

2.0 Disqualifications

- 2.1 The MAT has set the disqualifications criteria in line with **The Constitution of Governing Bodies of Maintained Schools 2017**. Should any parent enquire about the details of these Regulations he/she should be shown the Regulations or referred to the Governance Service.
- 2.2 A person is disqualified from being a parent local governor if they are paid to work at the school for more than 500 hours in any consecutive twelve month period (ie. for more than one-third of the hours of a full-time equivalent). A serving parent local governor who subsequently starts to work at the school would serve out his or her term of office.

3.0 Conduct of Elections

Please note, a school can choose to run the election processes electronically if they wish. If this option is chosen, the Head of the school must satisfy themselves that the process to be used is fair and that:

- all individuals eligible to stand are informed of the vacancy, along with the nomination and election process
- safeguards are in place to ensure that one person cannot cast two votes
- voter confidentiality is maintained
- an **opportunity for postal voting** (including delivery by hand) is available.

- 3.1 The Head of the school will be the Returning Officer who will supervise the election with the assistance of two witnesses, one of whom should be a

member of the Local Governing Body, neither of whom is eligible to participate in the election.

- 3.2 When a vacancy arises for a Parent Local Governor, the Head will inform the parents of the fact, and of the arrangements for filling the vacancy, either by letter sent by hand of pupils (see model letter PLG1) or electronically. Each parent should receive one ballot paper in the parent local governor election, irrespective of the number of children he/she has at the school. Where one parent is not living at the child's address, a letter should be sent to him/her at his/her last known postal or email address.
- 3.3 Nomination forms (see sample PLG2) and Candidate Information Forms (see sample PLG3) will be available from the Head, to be either collected by, posted to, or emailed to, parents requesting them.
- 3.4 A parent may nominate as many other eligible parents as there are seats to fill. Each nomination, to be valid, must be seconded by another eligible parent and also be signed by the nominee, and returned to the Head with a completed Candidate Information Form, by the date entered on the nomination form.
- 3.5 In the event that an insufficient number of candidates come forward to fill the vacancies it is unnecessary to hold an election. Any candidates who have come forward will be automatically appointed to serve a term of four years to run from the day of the proposed election. More details on the process of appointing parents can be found in section 4.
- 3.6 Where the number of nominations exceeds the number of places filled, a ballot will be held, for which **each parent** will be sent:
 - i) **one** ballot paper (irrespective of the number of children he/she has at the school) on which will be listed the duly nominated candidates; in alphabetical order (see sample PLG4)
 - ii) such details of the candidates as have been provided by them, excluding their home address. These must be in the same order as the ballot paper and each set of details should take the same format
 - iii) where a paper voting systems is being run, **two** envelopes for the return of the ballot paper and instruction in the use of the "double envelope" system. (see sample PLG5a)
 - iv) where an electronic voting system is being run, **clear instructions** on how to complete and return the ballot paper. (see sample PLG5b)
- 3.7 Ballot papers must be returned by the due date, and where a paper voting system is being run, envelopes kept UNOPENED, under lock and key, until the hour appointed for the count. Where an electronic voting system is being run,

the school must check the eligibility of each email return before saving each ballot paper separately and anonymously;

- 3.8 The count must be carried out at the time and date fixed by the Returning Officer, at which he or she must be accompanied by two witnesses, including a local governor of the school, neither of whom is eligible to take part in the election, and by any candidates or their nominees who have accepted the invitation to be present. Where a paper voting system is being run, no envelopes may be opened before this time.
- 3.9 Where a paper voting system is being run, the following procedures must be followed at the count:
- i) If not already actioned, outer envelopes carrying parents' signatures/names are checked off against the register of eligible parents, but are not opened.
 - ii) at the appointed hour, the outer envelopes are opened in the presence of the two witnesses and the inner envelopes, STILL UNOPENED, placed in a box. The outer envelopes are discarded.
 - iii) any ballot paper which is not enclosed in a sealed, unmarked envelope within an outer envelope which is sealed and signed and capable of being identified as coming from an eligible parent must be regarded as spoiled
 - iv) the sealed inner envelopes are opened in the presence of the two witnesses as detailed above.

N.B: The candidates must not be involved in the actual count.

- 3.10 Where an electronic voting system is being run, the following procedure must be followed at the count:
- i) if not already actioned, the person named in the body of the email in which the ballot paper was returned, to be checked off against the register of eligible parents
 - ii) the email address used to send the voting paper back to the school to be checked off against the list of email addresses held on file for that parent
 - iii) ballot paper attachment to be saved anonymously in a folder with restricted access, without opening it
 - iv) email in which the ballot paper was returned to be deleted to retain confidentiality and ensure no risk of double counting
 - v) at the appointed hour, electronic ballot papers to be opened in the presence of the two witnesses
 - vi) ballot papers received electronically and any received via the double envelope system to be counted

N.B: The candidates must not be involved in the actual count.

- 3.11 For both paper and electronic voting systems, the following are to be regarded as spoiled votes and must not be counted:
- i) any ballot paper where votes are cast for more candidates than are to be elected;
 - ii) any ballot paper which is signed.

Where any doubt arises as to whether a vote should be discounted, Returning Officers should contact the Governance Service for guidance on 01904 554210.

- 3.12 The candidates with the highest number of votes shall be declared elected. In the event of a tie, the election will be decided by the toss of a coin by the Returning Officer in the presence of the candidates concerned, or their nominees.
- 3.13 The result of the election, the names of the nominee(s) and of those appointed as Parent Local Governors, will be posted at a suitable place on the school premises for 21 days (see sample PLG6). Parents should also be notified as soon as is practicable and whilst a letter to each parent is unnecessary, the information should be imparted to parents in the next communiqué sent out. This might be a newsletter or might simply be included in a letter going out to all parents on a different subject.
- 3.14 The ballot papers should be kept for at least one year in case the outcome of the election is challenged.

4.0 Appointment of Parent Local Governors

- 4.1 The appointment of a Parent Local Governor shall take effect from:
the date of the election/appointment where there is a current vacancy
the first day following that of the completion of the term of office of the current local governor
- 4.2 The Head of the school will inform the Governance Service and the Clerk to the Local Governors of the names and contact details of the successful candidates/appointees.
- 4.3 Outstanding vacancies should be filled directly by the governing body. Candidates for appointment should ideally have a child at the school but if this is impractical, a parent of a former pupil or any parent of a child of compulsory school age who is not at the school will be deemed suitable for appointment. Should this prove impossible, an election should be held in the following term. Governing bodies may only appoint as a parent local governor a parent who

has, in their opinion, the skills to contribute to effective governance and the success of the school.

5.0 Local Governing Body Continuity

5.1 It is desirable to ensure the continuity of the local governing body, to aid its effectiveness. It is incumbent upon the Chair to ensure that elections take place on a timely basis. In practice this means that as a parent local governor's term of office draws to a close, an election should be held with any new local governor(s) term of office commencing from the day after the previous local governor's term of office expires. If a parent local governor is eligible to stand for a further term and is elected their term should also start at that time.

5.2 In the event of a mid-term resignation, the Clerk should, on receipt of the letter of resignation, advise the Chair/Head to institute election proceedings without delay. It is not necessary to wait until the Local Governing Body has discussed the situation.

6.0 Different Terms of Office

There are some circumstances where an election is for more than one parent governor, and where the starting date for each position will not be the same. For example, it may be felt appropriate to combine the election for a current vacancy with that for a replacement on expiry of current term. In such circumstances the letter (PLG1), nomination paper (PLG2) and candidate information form (PLG3) need not be amended, but the ballot paper (PLG4) must have the section below the candidates' names elected to read as follows (or as appropriate)

Number of Candidates to be elected
The candidate with the highest number of votes will serve for four years from
The candidate with the next highest number of votes will serve for four years from
Number of votes on this paper not to exceed

Dear Parent

ELECTION OF PARENT LOCAL GOVERNORS

I am writing to you to inform you about an election of Parent Local Governors. The Local Governing Body, when it is complete, comprises (number) Local Governors of which (number) will be elected by the parents. There are currently (number) Parent Local Governor vacancies within school. Parent Local Governors will serve for four years, unless they resign during their term of office. They can continue in office even when their children have left the school in order to complete their term.

The Local Governing Body also comprises (delete as appropriate)

Foundation Local Governors (appointed by York Diocesan Board of Education [YDBE]) Staff Local Governors (appointed by staff body)

Co-opted Local Governors (appointed by the Local Governing Board, with approval of the Chair of the Board of Trustees)

The Headteacher (*ex officio*)

What do local governors do?

School Governors are responsible for strategic leadership and accountability within schools. In practise this means that governing bodies are responsible for such things as setting a range of school policies and ensuring they are adhered to; setting and monitoring the school budget; monitoring the progress that the school is making and setting targets for school improvement. Governors are not involved in the operational running of the school. The daily management of the school is the responsibility of the headteacher.

Do Parent Local Governors have special responsibilities?

No, Parent Local Governors do not have extra duties. Local Governors work as a team, with shared responsibilities. The Parent Local Governors speak as parents: they can't speak for all parents.

How are Parent Local Governors appointed?

We take the term 'parent' to include anyone who has custody of a child registered at the school, as well as 'natural' parents.

If we receive more nominations than there are places to fill, there will be a secret ballot and I will send ballot forms (1 per parent irrespective of the number of children you have) and 'envelopes/ instructions on to complete an online election' (*delete as*

applicable) to each home by 'hand of the children/email' (*delete as applicable*). The form explains how votes may be cast.

If the number of nominations we receive is the same as the number of places to be filled, then those people will be declared appointed. If there are fewer, they will be declared appointed and the Local Governing Board will be responsible for filling any vacancies by inviting a parent of a child at the school to become a Parent Local Governor.

Parent Local Governors must be people who have children at the school when they are elected. Applicants should also have a strong belief in continually improving the quality of education of children at school and have the time to commit to attend training and local governing body meetings. If you decide you wish to stand for election it is necessary to get two parents at the school to propose and second your nomination.

If you are not able to stand for election, you may know of someone who is and parents with children at the school can nominate another parent for election. You can obtain a nomination form from the school and, having signed it yourself and obtained the signatures of the seconder and of the person you are nominating, return the form to me by (insert date). You can nominate as many parents as there are seats to fill but you need a nomination form for each.

Result of the Election

The names of those elected will be displayed at the school for 21 days and will be included in the next edition of the school newsletter.

Anyone having any query about the election is invited to contact the school.

Yours sincerely,

THE CLOSING DATE FOR NOMINATIONS IS



ELECTION OF PARENT LOCAL GOVERNORS PLG2

NOMINATION PAPER

Name of School _____

Number of Parent Local Governors to be elected _____

Please read the notes below before completing the form

DECLARATION BY THE CANDIDATE : I agree to stand in the above-named election and confirm that I am not disqualified from being a school local governor in line with the restrictions detailed in **The Constitution of Governing Bodies of Maintained Schools 2017**, as adopted by the South York MAT.

CANDIDATE (Name/Address)

.....
.....
.....
.....

Signed

Date

PROPOSED
BY

(Name/Address/Signature)

SECONDED BY

(Name/Address/Signature)

.....
.....
.....
.....

.....
.....
.....
.....
Signed

Signed

.....

NOTES : A parent can propose a candidate, stand for election and vote in the election, if he or she has a child registered at the school on the date of the election.

A PROPOSER must be eligible to vote in the election
must obtain the consent and signature of the nominee
may propose a candidate or candidates up to the number to be elected (see head of this form).

A CANDIDATE must be eligible to vote in the election
must have reached the age of 18
must not have been adjudged bankrupt, or been convicted of a criminal offence during the last five years for which a prison sentence (suspended or not) of 3 months or more was imposed.

THIS FORM MUST BE RETURNED TO THE HEADTEACHER WITH THE CANDIDATE INFORMATION FORM BY IN A SEALED ENVELOPE MARKED



'CONFIDENTIAL - PG NOMINATION' / VIA EMAIL MARKED
'CONFIDENTIAL – PG NOMINATION' (Delete as applicable)

PLG3

ELECTION OF PARENT LOCAL GOVERNORS

CANDIDATE INFORMATION FORM

Election of Parent Local Governors at
SCHOOL

Name Age(s) of child(ren)
.....

Experience and/or interests relevant to serving as a Local Governor (maximum 80 words)

.....
.....
.....
.....
.....
.....
.....
.....

Signed

ELECTION OF PARENT LOCAL GOVERNORS
BALLOT PAPER

Name of School _____

Please read the notes below before casting your
vote(s) _____

CANDIDATES

Place an X opposite
the name(s) voted
for

Name in alphabetical order	
Name	
Name	
Name	

Number of Candidates to be elected)
Number of votes on this ballot paper not to exceed)

Please read the notes below before casting your vote(s)

1. Parents must, to be eligible to vote, have a child registered at the school on the date of the election.
2. Each parent will receive one ballot paper (irrespective of the number of children he/she has at the school) and has as many votes as there are seats to be filled. Parents may if they wish, cast fewer votes than the number of seats to be filled.
3. Do not cast more votes than there are seats to fill. If any person or persons do, it will not be possible to count any of their votes. Each candidate can only receive one vote per ballot paper.
4. WHEN YOU HAVE MARKED YOUR BALLOT PAPER WITH YOUR VOTES, PLEASE FOLLOW THE INSTRUCTIONS FOR RETURNING YOUR BALLOT PAPER AS OUTLINED IN PLGA/B (DELETE AS APPLICABLE).

FAILURE TO COMPLY WITH ELECTION REGULATIONS WILL RESULT IN THE
BALLOT PAPER BEING TREATED AS SPOILED.

PAPER VOTING SYSTEM: INSTRUCTIONS ON THE RETURN OF BALLOT PAPERS

1. You are provided with two envelopes. Place your ballot paper inside the first envelope and SEAL it. Do not sign, or otherwise mark, this envelope. Do not place more than one ballot paper in this first envelope.
2. Place the sealed envelope containing the ballot paper inside the second envelope and SEAL it.
3. Write your name in block capitals, and sign your name on the second, outer envelope, and also write "P.L.G. ELECTION" upon it.
4. Return the envelope to school as soon as possible, to arrive not later than the date shown below. Envelopes may be returned by hand of a pupil, or by post, but they must be delivered at the school by the time and date given below or it will not be possible to count the votes they contain. Votes sent by post must be in two sealed envelopes: the inner one unmarked and the outer one signed, as indicated above. It will also assist the school if envelopes also carry the name of your child.
5. It will not be possible to count votes if
 - ballot papers are spoiled; or
 - ballot papers are not returned in envelopes, or only one envelope; or
 - the inner envelope is signed; or the outer envelope is not signed.
6. PLEASE ENSURE, THEREFORE, THAT YOUR BALLOT PAPER IS PLACED IN TWO SEALED ENVELOPS: THE INNER ONE UNMARKED, THE OUTER ONE SIGNED, AND RETURN IT TO THE SCHOOL NOT LATER THAN:

ON:

**ELECTRONIC VOTING SYSTEM: INSTRUCTIONS ON THE RETURN OF
BALLOT PAPERS**

1. Please complete the attached ballot paper.
2. Return it as an attachment to (insert email address)
3. Please include the text 'P.G. Election' in the subject line of the email
4. Please include your name in the main body of the email and return the completed ballot paper from the email account the school has on file for you so that your eligibility to vote can be checked. It will also assist the school if you include the name of your child in the main body of the email.
5. Return the completed ballot paper as soon as possible, to arrive not later than the date shown below.
6. It will not be possible to count votes if
 - votes are cast for more candidates than are to be elected;
 - ballot papers are signed
7. **PLEASE RETURN YOUR BALLOT PAPER TO THE SCHOOL NOT
LATER THAN:**

ON:

PLG6

ELECTION OF PARENT LOCAL GOVERNORS

ELECTION RESULT NOTIFICATION

Name of School _____

CANDIDATES
received

Votes

Candidate A	50
Candidate B	30
Candidate C	20
Candidate D	10
Candidate E	5
Candidate F	2

Number of Candidates to be elected.....)

As returning Officer in this election, I hereby declare that the following is/are elected to serve as Parent Local Governor(s) on the Local Governing Body of (your) School, with a term of office to run from (date).

Candidate A
Candidate B

Signed
(Print name and sign)

Date

Witnessed
(Print name and sign)

Date

Appendix 5: Guidance on the Election of Staff Local Governors

Introduction

South York Multi-Academy Trust's Articles of Association determine that the responsibility for election of staff local governors is held by the Board of Trustees, but may be delegated. In the South York Multi-Academy Trust (MAT), the Board of Trustees has delegated authority for staff local governor elections to Headteachers.

It is the responsibility of the Headteacher to organise elections for staff local governors and act as returning officer. The process should commence as soon as reasonably possible after receiving a resignation or, where a term of office is due to expire, on a basis which ensures that a new local governor is able to take up office when his/her predecessor's term ends. It is particularly helpful to engage in succession planning when terms of office are due to expire, so that the new local governor can have time to develop a proper understanding of the role prior to his/her term beginning. If no candidates are forthcoming, the position on the local governing body remains vacant and an election should be held as soon as an eligible candidate is identified.

1.0 Eligibility

Teaching and support staff who, at the time of election, are employed by either the local governing body or the South York MAT to work at the school under a contract of employment, are eligible to be staff local governors.

Staff local governors are elected by all staff at the school and any candidates for election must be members of staff at the time of the election. The period of office is four years, however, on ceasing to be employed at the school a staff local governor shall cease to hold office at that school and shall give written notice to the clerk of the local governing body.

The MAT has set the disqualifications criteria in line with **The Constitution of Governing Bodies of Maintained Schools 2017**. Should any staff member enquire about the details of these Regulations he/she should be shown the Regulations or referred to the Governance Service. Clear expectations of role and conduct should be communicated and agreed upfront.

2.0 CONDUCT OF ELECTIONS

- 2.1 The headteacher shall appoint sufficient other members of staff of the school, and in any case at least one, to act as teller(s)/scrutineer(s).
- 2.2 Only those people employed to work at the school as full-time or part-time permanent members of staff may take part in the election.

- 2.3 Peripatetic, relief and other temporary members of staff are not eligible to hold office or to take part in the voting. The staff of a separate nursery school may not take part in the election.
- 2.4 The arrangements shall be such that all staff who are eligible to stand as candidates for election or to vote shall be afforded a reasonable opportunity to do so.
- 2.5 A dated letter announcing the election (see sample TLG1) and incorporating the nomination form (see sample TLG2) shall be sent to every eligible member of staff at the school address or, if the member of staff is not at school, at the home address.
- 2.6 A candidate must be proposed by a member of the electorate (other than the candidate) and seconded by another member of the electorate (other than the candidate or proposer).
- 2.7 To be valid a completed nomination paper shall reach the Returning Officer personally by the time shown on the form.
- 2.8 In the event that more valid nominations are received than there are vacancies, the Returning Officer shall inform each candidate of the names of all those nominated and an election will be held.
- 2.9 Where a ballot is to take place, the ballot papers (see sample TLG3) shall be issued to staff eligible to vote, in person and votes cast in the place(s) designated by the Returning Officer as polling stations. Polling shall take place over such a period or periods as allows all members of the electorate a reasonable opportunity to vote.
- 2.10 Proxy votes shall not be valid, although postal/email votes may be accepted at the discretion of the headteacher by specific arrangement (for example if a member of voting staff is on sick leave)
- 2.11 Candidates may attend the count personally if they wish. The Returning Officer should give the candidate reasonable notice of the count to allow them to make arrangements to attend.
- 2.12 The candidate with the highest number of votes shall be declared elected.
- 2.13 A tie, if verified by the recount of votes cast, shall be resolved immediately at the count by the tied candidates (or in their absence their representative) through the drawing of lots. If any candidate or representative is not present the Returning Officer or Scrutineer shall act on his/her behalf in the drawing of lots.
- 2.14 The Returning Officer shall publish the result of the election (see sample TLG4) to the staff, the candidates, the Clerk to the local governing body and the Governance Support & Development Service.
- 2.15 The published information shall include the numbers of votes cast for each candidate, the number of papers deemed valid, the name of the candidate elected and the start and finish dates of the staff governor term of office.

3.0 REGULATIONS

- 3.1 Any enquiry or dispute about the election shall be referred to the Returning Officer in the first instance. If s/he is unable to resolve the matter the final decision rests, with the South York MAT Board of Trustees. For advice the Returning Officer should contact the Governance Support and Development Service in the first instance.
- 3.2 The term of office of a staff local governor starts:
 - ♣ on the day of the election, where there is a current vacancy
 - ♣ or, the first day following that of the completion of the term of office of the current local governor.
- 3.3 A staff local governor shall, on ceasing to be employed at the school, cease to hold office as a local governor.
- 3.4 The period of office is for four years. However, a staff local governor may resign office at any time and should send notice of resignation in writing to the Clerk to the local governing body. The resignation shall take effect when the Clerk to the local governing body receives written notice.
- 3.5 Failure on the part of a member of staff to receive a nomination paper or a ballot paper shall not invalidate the election.
- 3.6 A copy of these regulations shall be on display to staff at the time of the election.

Dear Colleague

Date

**ELECTION OF A STAFF LOCAL GOVERNOR ON THE (NAME OF SCHOOL)
LOCAL GOVERNING BODY**

I am the Returning Officer for the election of a staff local governor from amongst the teaching and support staff. For the purposes of the election a member of staff means a full-time or a part-time permanent member of staff of (name) school at the date of the election. Peripatetic, relief and other temporary staff are not eligible to hold office or take part in the voting.

What do Local Governors Do?

School Local Governors are responsible for strategic leadership and accountability within schools.

In practise, this means that local governing bodies are responsible for such things as setting a range of school policies and ensuring they are adhered to; setting and monitoring the school budget; monitoring the progress that the school is making and setting targets for school improvement. Local Governors are not involved in the operational running of the school. The daily management of the school is the responsibility of the headteacher.

Fundamentally, your role as a staff local governor is no different to that of the other local governors. You have equal rights and status with all other local governors and you are not restricted in your role to matters of staff interest. Being a staff local governor involves achieving a delicate balance of roles. Although elected by fellow staff members, staff local governors are not obliged to express any views apart from their own.

I now propose to hold an election of one staff local governor to serve for a period of four years starting on (insert date). The reverse side of this letter is a nomination form and gives all the relevant details. Nominations should be received by me personally by (time) on (date). If more than one candidate is nominated a ballot will be held in (place) on (date). In the event of a contested election the result will be announced on (date).

The MAT has set the disqualifications criteria in line with **The Constitution of Governing Bodies of Maintained Schools 2017**; in which there are a number of restrictions which apply to a person holding office as a local governor. If you wish to have access to these Regulations, or require further advice or information about becoming a staff governor, please contact the Governance Support and Development Service on 01904 554210.

Yours sincerely
(name)
Headteacher
Name of School

THE ELECTION OF ONE STAFF LOCAL GOVERNOR TO SERVE FOR A PERIOD OF FOUR YEARS STARTING ON _____

NOMINATION PAPER

This election is open to all members of teaching and support staff

NAME OF CANDIDATE.....

ADDRESS

.....

Telephone

DECLARATION BY THE CANDIDATE

I agree to stand in the above-named election and confirm that I am not disqualified from being a school local governor in line with the restrictions detailed in **The Constitution of Governing Bodies of Maintained Schools 2017** as adopted by the South York MAT.

Signed Date.....

Signature of Proposer

Signature of Secunder

To be valid the fully completed nomination form must reach the Returning Officer **personally** by the close of school on (date).

In this election the Returning Officer is (name)

The teller(s)/scrutineer(s) is/are (name)(s)

If there is to be a ballot a poll will be taken on

The polling station(s) will be situated

Voting will take place during the following hours:- (time) to (time), (time) to (time)

Date of Issue

The (name of school) Local Governing Body

THE ELECTION OF ONE STAFF LOCAL GOVERNOR TO SERVE FOR A PERIOD OF FOUR YEARS STARTING ON _____

BALLOT PAPER

Please mark your choice of candidate with a cross. You have one vote.

Name of Candidate	Cross (X)
Names in Alphabetical Order	

In this election the Returning Officer is _____ (name)

The teller(s)/scrutineer(s) is/are _____ (name)(s)

Candidates or other representatives are entitled to attend the count.

The results of the election will be published to the candidates and to the staff by notice in the (location/s).

THE ELECTION OF ONE STAFF LOCAL GOVERNOR TO SERVE FOR A PERIOD OF FOUR YEARS STARTING ON _____

ELECTION RESULT NOTIFICATION

Name of candidate	Number of votes received
Candidate A	
Candidate B	
Candidate C	
Candidate D	

As Returning Officer in this election, I hereby declare that the following member of staff is elected to serve as a Staff Local Governor on the Local Governing Body of (your) School, with a term of office to run from (date).

Candidate Elected:

Signed
(Print name and sign)

Date

Witnessed
(Print name and sign)

Date