

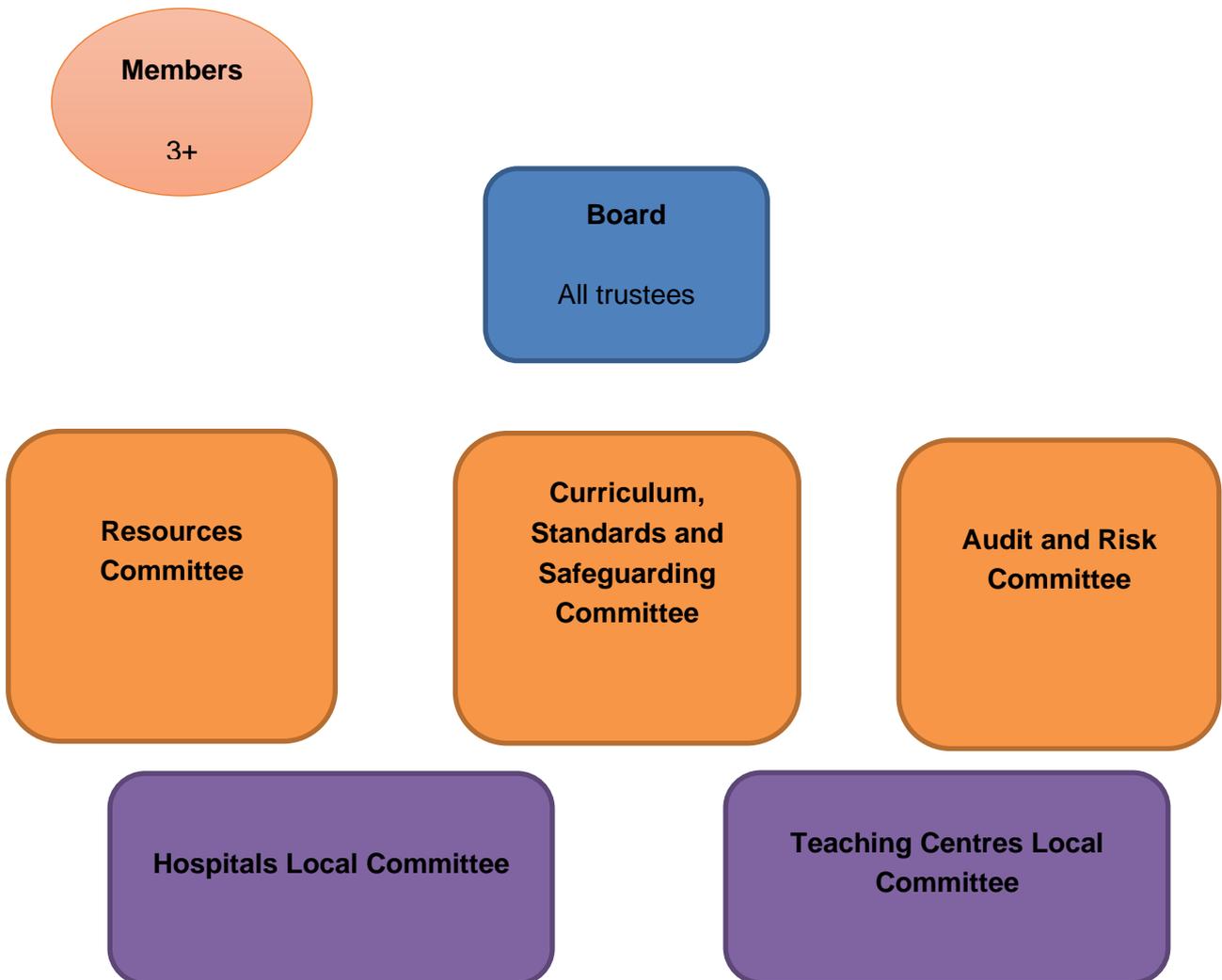
Terms of Reference 2021-22

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Governance Structure



Members

- Hold the trustees to account for the effective governance of the Academy.
- Appoint auditors.
- Approve changes to the Articles of Association.
- May appoint/remove trustees.
- In consultation with the DfE, dissolve the Academy.

The Board

James Brindley Academy is a company limited by guarantee and an exempt charity. Trustees are subject to the duties and responsibilities of charitable trustees and company directors as well as any other conditions that the Secretary of State agrees with them. The trustees must act in accordance with the law,



articles of association and funding agreement. Particular regard must be given to the Academies Financial Handbook and Keeping Children Safe in Education.

The four core functions of the Board are:

1. To ensure the clarity of vision, ethos and strategic direction
 2. To hold the executive leaders to account for the educational performance of the organisation and its pupils, and the performance management of staff
 3. To oversee the financial performance of the organisation and ensure that its money is well spent
 4. To ensure the voices of stakeholders are heard
- Appoints the Principal and Vice-Principal and sets their pay.
 - *Appoints at least one trustee to take part in the appointment/dismissal processes for the Senior Leadership Team.*
 - Sets the ethos and values of the Academy and monitors the application and development of the ethos and values.
 - Approves and monitors the Academy Development Plan (ADP), delegating specific actions to committees as appropriate.
 - Approves the Annual Financial Accounts.
 - Approves the budget plan annually.
 - Receives the management accounts at least 6 times a year.
 - Receives all audit reports.
 - Receives annual reports for Health and Safety and Data Protection in order to promote high standards throughout the Academy.
 - Ensures that the academy has a Health and Safety Statement and Health and Safety Plan.
 - Ensures adequate resources are made available to the Principal to implement effective health and safety arrangements.
 - Ensures adequate insurances are in place.
 - Monitors risk through the oversight of the risk register.
 - Monitors pupil transition to their next setting.
 - Agrees the board committee structure and the appropriate terms of reference.
 - Undertakes governance reviews.
 - Appoints committee chairs and vice chairs if the committee is unable to do this itself.
 - Approves the policy review schedule and the policies owned by the Board such as the financial regulations.
 - Approves leases and major changes in provision.
 - Approves the Principal's recommendations in settlement cases and limits to settlement claims in tribunals.
 - Appoints community trustees and stakeholder representatives.
 - May appoint a single-issue panel for any matter as required.

James Brindley's Board discharges its responsibilities through statutory committees and local committees as detailed in this Terms of Reference. All trustees have a responsibility to ensure that they gain sufficient knowledge to undertake their role on the board and in committees.



Committee Membership

At all the committees

- 3 trustees need to be present for the meeting to be quorate
- only trustees may vote on the proposals made
- the chair and vice chair are elected annually and are supported by the company secretary who takes the minutes and provides advice as required

The chair of trustees shall not be the chair of the Resources or Audit and Risk committees, and these committees should have different chairs.

The principal attends the Audit and Risk committee in their capacity as the accounting officer, not as a trustee and does not vote.

The planned committee meeting schedule is:

Number of meetings per year	Committee
3	Audit and Risk
6	Board Curriculum, Standards and Safeguarding Local committees
7	Resources

Staff

Staff trustees do not attend committee meetings in their capacity as trustees. Members of staff attend the committees to provide information and to contribute to discussions, as detailed in the table below:

Audit & Risk	Resources	Curriculum, Standards and Safeguarding	Teaching Centres	Hospitals
Principal	Operations Director	Vice Principal	Vice Principal	Assistant Principal – Teaching & Learning
Operations Director	Head of HR	Assistant Principal – Safeguarding & Inclusion	Assistant Principal – Safeguarding & Inclusion	Centre Leaders and Assistant CL
Audit owners, as required		Assistant Principal –	Assistant Principal – Curriculum	

		Teaching & Learning	(attends Dovedale)	
		Assistant Principal – Curriculum	Centre Leaders and Assistant CL	
			Pastoral Managers	

All the statutory committees

- Monitor the delivery of the relevant Academy Development Plan objectives as delegated by the Board.
- Review and approve policies as delegated by the Trustee Board.
- Ensure that any changes to these policies are implemented and monitor the compliance of training delivery.
- Discuss potential strategic school developments across all the sites.
- Take account of all legislation but especially health and safety when ratifying policies, making decisions and implementing major projects that affect the school.

Audit and Risk Committee

- Manages the risk register
- Oversees and approves the trust's programme of internal scrutiny in at least the following areas: health and safety, data protection, financial controls, safeguarding
- Receives the audit reports and takes responsibility for the monitoring and delivery of actions agreed from the recommendations identified
- Ensures that risks are being addressed appropriately through internal scrutiny
- Reports to the board on the adequacy of the trust's internal control framework, including financial and non-financial controls and management of risks
- Reviews the external auditor's plan each year
- Reviews the auditor's findings and actions taken by the trust's managers in response to those findings
- Assesses the effectiveness and resources of the external auditor to provide a basis for decisions by the trust's members about the auditor's reappointment or dismissal or retendering.

The committee delegates the review of the annual financial statements to the Resources committee in advance of consideration by the Board. Items in the Key Audit Information Memorandum will be reported to this committee.

Curriculum, Standards and Safeguarding Committee

- Monitors safeguarding and inclusion standards across the Academy
- Monitors and evaluates the scope of the curriculum at JBA ensuring it is broad, balanced and relevant to the needs of the young people.
- Monitors the quality of education across the academy.
- Monitors the quality of teaching and learning and assessment and ensures it is fit for purpose through use of the Quality Assurance cycle.



- Monitors how well teachers are developing practice and supporting others.
- Monitors the progress and attainment of all pupils through internal and external data.
- Monitors exclusions.
- Monitors pupil reportable health and safety and data protection incidents.

Resources Committee

- Allocates personnel to the role of Accounting Officer and Chief Financial Officer.
- Reviews the annual financial statements before they are approved by the board.
- Monitors expenditure to ensure compliance with the funding agreement, sound financial oversight, regularity, propriety, value for money and support of the JBA core values and ethos.
- Ensures that financial planning is directly linked to the James Brindley Academy Development Plan (ADP) and the needs of the curriculum.
- Receives and scrutinises the management accounts to ensure ongoing financial health and a sufficient reserves balance.
- Ensures that the information submitted to the DfE or ESFA that affects funding is accurate.
- Authorises the budget return forecasts, and other financial returns that may be required, to the ESFA.
- Has oversight of grant expenditure and reporting (eg Pupil Premium, Catch-up, Sports)
- Has oversight of the asset management strategy to ensure that the academy estate is maintained in a safe condition.
- Makes recommendations to the Board to approve leases.
- Has oversight of the staff complement and structure of the school and, as appropriate, their duties, grading and remuneration, subject to any overriding statutory provision or negotiated agreements.
- Carries out an annual review of staff salaries under the Teachers' Pay & Conditions document in accordance with the James Brindley Pay Policy.
- Determines the pay and grading levels for support staff from the pay and grading structure adopted by Birmingham City Council and where necessary review these pay and grading levels in consultation with the Principal.
- Has oversight of staff work/life balance, working conditions and well-being, including the monitoring of absence.
- Ensures that procedures and practices that relate to personnel comply with the requirements of governing boards to adhere to the Equality Act 2010.
- Advises the Principal in the appointment/dismissal processes for the Senior Leadership Team.
- Provides one trustee to fulfil the quality assurance role as determined by the James Brindley Appraisal Policy.
- Provides one trustee support the Chair in reviewing the Principal's appraisal targets as determined by the Appraisal Policy.
- Receives requests for Early Retirement and determining access to Actuarially Reduced Pensions.
- Convenes a trustee panel to apply the redundancy procedure.
- Monitors staff reportable health and safety and data protection incidents.

Local Committees

Local committees were established by the board in 2015. Stakeholder representatives (where applicable) attend these committees which



- provide centre leaders and other sector staff the opportunity to work directly with trustees so that trustees have a clear and full understanding of the centres in the following areas: attendance, safeguarding, behaviour, well-being, progress, health and safety
- enable staff, particularly those on the leadership scale, to be accountable more directly to trustees through the monitoring of the implementation of the Centre Action Plan
- engage a wider group of staff and stakeholders in governance discussions.
- provide the opportunity for more detailed strategic conversations and challenge about the key issues for the sector

None of the local committees have delegated powers from the board. Staff attendees may approve minutes, if required.