



# Carshalton Boys Sports College

<b>Scheme of Delegation</b>	
<b>Policy number</b>	FG04
<b>Committee</b>	Trust Board
<b>Review Date</b>	July 2022

*'Safeguarding the rights of others is the most noble and beautiful end of a human being.'* Khalil Gibran

**WE BELIEVE**  
**KNOWLEDGE IS POWER**  
**BLACK LIVES MATTER**  
**LOVE IS LOVE**  
**FEMINISM IS FOR EVERYONE**  
**NO HUMAN BEING IS ILLEGAL**  
**BE GENTLE WITH THE EARTH**  
**BE THE BEST VERSION OF YOURSELF**  
**BE REALLY KIND**



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## 1. Introduction

Carshalton Boys Sports College is a single academy trust (SAT) and the Trust Board are the legal body responsible for the running the school.

The Trust Board is accountable in law for all decisions about CBSC, however, this does not mean that they are required to make all the decisions itself. Many decisions can and should be delegated to the Principal and the Trust Board Committees. All decisions to delegate functions are made by the full Trust Board and are recorded.

This is a key document and should be read in conjunction with current versions of the:

- CBSC Finance Manual
- CBSC Articles of Association
- CBSC Funding Agreement with the Secretary of State for Education
- Education and Skills Funding Agency's The Academy Trust Handbook (also known as the Academies Financial Handbook) AND
- Department for Education's Governance Handbook

## 2. The Purpose of the Scheme of Delegation

A scheme of delegation (SoD) is the key document defining which functions have been delegated and to whom. It ensures Members, Trustees, Committees and the Principal are clear about who has responsibility for making which decisions within the school.

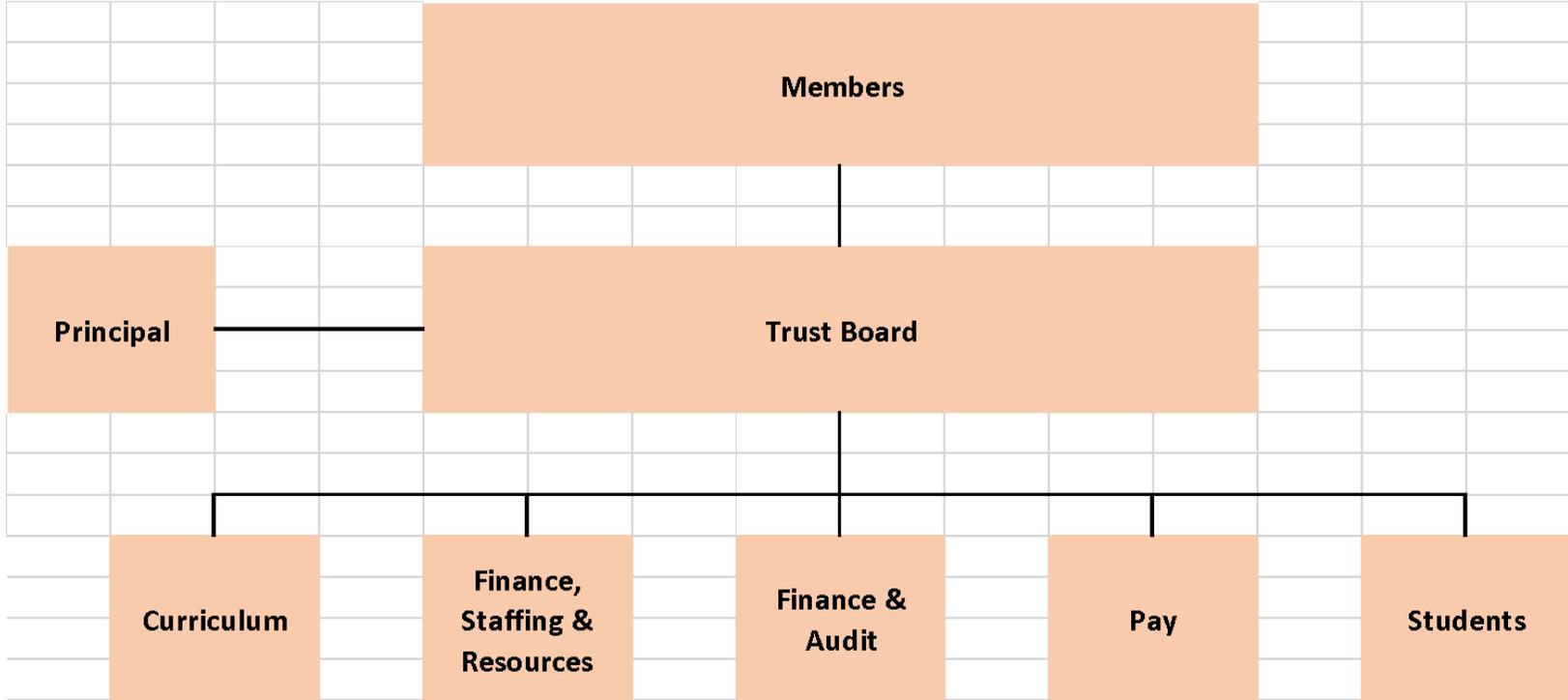
Deciding what to retain at Trust level and what to delegate will vary from trust to trust. The detail will not be set out in the articles of association, the Trust's governing document. This is why it is critical that Trusts agree a SoD that explicitly establishes who makes which decisions, and ensures this is clear to all of those within the Trust.

The SoD is reviewed annually, with revisions made as the context changes, if necessary, each year. It is important to ensure that all involved in governance are made aware of any changes and what these mean in practice.

An effective scheme of delegation will:

- reflect the trust's ethos, promoting a positive climate and a culture of honesty, transparency, and accountability for the benefit of all stakeholders
- ensure the Principal is clear about which decisions the trust board retains, and the extent of executive powers
- Identify responsibility for the appointment and performance management of the Principal
- Identify responsibility for policy and practice in the Trust
- Identify responsibility for oversight of the CBSC budget.
- Identify responsibility for assessment of risk in CBSC
- Identify responsibility for oversight of educational performance in CBSC

3. CBSC Governance Structure 2021/2022



#### **4. Member, Trust Board and Committee Meetings**

##### *4.1 Members*

The Members meet at least once a year

##### *4.2 Trust Board*

The Trust Board meets at least three times a year

##### *4.3 Committees*

The following committees meet as follows:

- Curriculum – three times a year
- Finance, Staffing & Resources - three times a year
- Finance & Audit – three times a year
- Pay – at least once a year
- Students – three times a year

#### **Governance Structure and Lines of Accountability**

The Trust Board delegates responsibility for the day to day running of the academy to the Principal. The Trust Board will hold the Principal to account for the performance of the school. The Principal in turn holds other senior leaders to account by line managing them. While the board cannot ever delegate its accountability, it can delegate some of the detailed scrutiny, oversight and decision making.

The Principal will report to the Trust Board on the performance of CBSC, although this will be supplemented by the monitoring of trust board committees and individual trustees with any delegated responsibilities.

The Principal and Vice Principal are performance managed by the Trust Board. The Principal performance manages the other senior leaders at CBSC.

#### **5. Roles and Responsibilities**

##### *6.1 Members*

- The members of the trust are guardians of the governance of the trust and must ensure it carries out its charitable objective.
- There must be three to five members and they are not permitted to be employees of the academy trust.
- The members agree the trust's articles of association, appoint trustees and appoint the trust's auditors.
- The members receive information about the trust's business and receive the annual report and accounts.
- If they have concerns that the trust is not carrying out its charitable objective, members can remove trustees that are failing to fulfil this responsibility.

## 6.2 *Trustees*

- The trust is a charitable company and so trustees are both charity trustees (within the terms of section 177(1) of the Charities Act 2011) and company directors (within the terms of the Companies Act 2006). Trustees are bound by both charity and company law so the terms 'trustees' and 'directors' are often used interchangeably. CBSC uses the term Trustees.
- The Trustees are the legal governing body of CBSC
- Trustees are responsible for the general control and management of the trust, and in accordance with the provisions set out in the memorandum, articles of association and its funding agreement, are legally accountable for all statutory functions and for the performance of CBSC and as such must:
  - Ensure clarity of vision, ethos and strategic direction;
  - Hold the Principal to account for the educational performance of CBSC and its pupils and the effective and efficient performance management of staff; and
  - Oversee the financial performance of CBSC ensuring its money is well spent.
- The Trust Board are permitted to exercise all the powers of the academy trust. The Trust Board will delegate to the Principal responsibility for the day to day operations of CBSC. The Trustees can determine whether to delegate any governance functions or not.
- The Trust has the right to review and adapt its governance structure at any time which includes removing delegation.
- A Trustee shall cease to hold office if they are absent without the permission of the Trustees from all their meetings held within a period of six months and the Trustees resolve that his office be vacated.

## 6.3 *Committees*

- The Trustees may establish Committees either with delegated authority to make decisions or for the purpose of providing advice and support, informing the overall work of the Board. However, these Committees are not legally responsible or accountable for statutory functions; the Board retains overall accountability and responsibility.
- The responsibilities of Committees are set out in their terms of reference. The Trust Board may appoint Committee Members and Committee Chairs.
- The Academy Trust Handbook (also known as the Academies Financial Handbook) makes it clear that the board of trustees 'should have a finance committee to which the board delegates financial scrutiny and oversight' and for trusts with income above a certain level, there must also be a separate audit committee.

## 6.4 *Principal*

- The Principal has the delegated responsibility for the day-to-day operation of CBSC and performance manages the CBSC Senior Management staff (Leadership Team).
- The Principal is also the accounting officer so has overall responsibility for the operation of CBSC's financial requirements and must ensure that the CBSC is run with financial effectiveness and stability; avoiding waste and securing value for money.

- The Principal leads the senior management team (SMT) of CBSC. The Principal will delegate management functions to the SMT and is accountable to the trust board for the performance of the SMT.

#### 6.5 *Powers and Duties Delegated to the Chair of the Trust Board in Cases of Urgency*

The Chair, in consultation with the Principal, is permitted to act in cases of urgency where a delay in exercising the function would be likely to be seriously detrimental to the interests of the school, a student, parent or member of staff. 'Delay' means delay until the earliest date on which it would be reasonably practicable for a meeting of the Trust Board to be held.

In such circumstances the Chair may exercise any function of the Academy Trust which (i) can be delegated to an individual under the Articles, the Funding Agreement (including the relevant Academies Financial Handbook) or (ii) any function relating to the exclusion of a student.

The Chair may decide, on receipt of a request for a decision in cases of urgency that the matter should be dealt with instead by an extra-ordinary Trust Board meeting called on short notice, in which case a meeting shall be called promptly.

Any such action taken or decision made in cases of urgency should be reported to the Trust Board by email in the first instance (together with a copy of any written report from the Principal) and minuted at the following Trust Board meeting.

#### 6.6 *Delegation Grid*

Detailed below is a grid, detailing who has the power to take which decisions within Trust. The grid is in four key areas to reflect both the governance framework and the three core functions of the Board of Directors.

Delegation and decision making at CBSC

Reading the grid
✓ - governance function and decision making is at this level
C - to be consulted prior to decision being made
Note: Decisions delegated to the trust board may be delegated to a board committee but not the Principal

Governance function		Members	Trust board	Principal	Committees
People	Members: appoint/remove	✓			
	Trustees: appoint/remove	✓	✓		
	Parent trustee members: appoint when elected		✓	C	
	Board committee chairs: appoint and remove		✓		
	Named safeguarding trustee: appoint and remove		✓		
	Academy committee chairs: appoint and remove		✓		
	Academy committee members: appoint and remove		✓		
	Clerk to board: appoint and remove		✓	C	
	Clerk to academy committees: appoint and remove		✓		✓
Systems and structures	Articles of association: review and agree	✓	C	C	
	Governance structure for the trust: establish and review annually		✓	C	
	Committee terms of reference and scheme of delegation: agree annually		✓	C	
	Annual schedule of governance business: agree		✓	C	✓
	Self-review of trust board and committees: complete annually		✓	C	
	Chair's performance: carry out 360° review periodically		✓		
	Trustee/committee member contribution: review annually		✓	C	✓

Reporting	Publish governance arrangements on trust and schools' websites: ensure		C	✓	
	Annual report on the performance of the trust: submit to members and publish		✓		C
	Annual self-review/triannual external review of board effectiveness: submit to members		✓		C
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit to members and Companies House		✓		
	ESFA required reports and returns submit		✓		
Being strategic	Determine trust wide policies which reflect the trust's ethos and values: approve		✓	C	C
	Determine school level policies: approve			C	✓
	Management of risk: establish register, review and monitor		✓	C	C
	Engagement with stakeholders: ensure	✓	✓	✓	✓
	Determine schools' vision, strategy and key priorities: approve		✓	C	C
	Principal: appoint and dismiss		✓		
	Accounting officer: appoint and dismiss		✓		
	Budget plan to support delivery of trust key priorities: agree		✓	C	
Holding to account	Schools' staffing structure: agree		C	✓	
	Ensuring compliance (e.g. safeguarding, H&S, employment): agree auditing and reporting arrangements		✓	C	
	Monitoring progress on key priorities: agree reporting arrangements		✓	C	
	Performance management of HTs: undertake		✓		
Financial oversight	Performance management of SMT: undertake			✓	
	External & Internal auditors: appoint	✓	C	C	
	Chief financial officer: appoint		✓	C	

	Trust's scheme of financial delegation: establish, monitor and review		✓	C	
	External & Internal auditors' report: receive and respond		✓		
	Headteachers' pay award: agree		✓		
	Staff appraisal procedure and pay progression: review and agree		✓	C	
	Benchmarking and trust wide value for money: ensure robustness			✓	
	Monitoring budget: agree reporting		✓	C	

## 6. CBSC Annual Governance Planner

MEMBERS		
1 MEETING IN JANUARY ANNUALLY		
Receive the approved Trust accounts, review the Memorandum and Articles of Association (Constitution), discuss the constitution of the Trust board and the appointment and dismissal of Trustees, receive a report about school performance, feedback on their visits to schools (ethos and objectives), declare business and pecuniary interests, appoint internal & external auditors, appoint of chair, statutory declarations.		
TRUSTEES – FULL TRUST BOARD		
TERM 1	TERM 2	TERM 3
Sign Declaration of Interests Elect chair and vice-chair and committee chairs Decide/review the constitution, membership and terms of reference of all committees Review link governor roles Set objectives for the governing board for the year Review school admissions arrangements for entry in September of following year (If the arrangements haven't changed for the last 7 years Agree SDP/SIP & approve SDP/SIP = Policy & Strategy Publish list of governing board members, associate members and responsibilities on the school website for 2021/2022 Publish the governors' attendance record at governing board and committee meetings over the last academic year, including that of those who have left in the last 12 months Ensure all required information is published on the school website	Publish Admission arrangements Review SDP/SIP = Policy & Strategy Approve school term/holiday dates/inset days for next year. Ensure all required information is published on the school website Ensure details held about people involved in governance are provided to the Secretary of State via GIAS (Get Information About Schools). Principals Report	Review SDP/SIP = Policy & Strategy Agree a programme of meetings for the next academic year, including committee meetings Conduct self-review of the governing board's effectiveness Review the governing board succession plan and governing board training needs Ensure all required information is published on the school website Ensure details held about people involved in governance are provided to the Secretary of State via GIAS (Get Information About Schools). Review the Risk Management Policy & Risk Register Principal's Report

Ensure details held about people involved in governance are provided to the Secretary of State via GIAS (Get Information About Schools). Approve Audited Accounts Principals Report		
<b>TRUSTEES – CURRICULUM</b>		
<b>TERM 1</b>	<b>TERM 2</b>	<b>TERM 3</b>
Review Examination and national results Destinations of students Planning and initiatives for forthcoming year Pupil Place Planning Policies for approval	Key Stage 4 targets, predictions and planning Key Stage 5 targets, predictions and planning Options Pupil Place Planning Curriculum 2022-2023 Policies for approval	Key Stage 4 targets, predictions and planning Key Stage 5 targets, predictions and planning KS5 Recruitment KS3 Transition Pupil Place Planning Timetable 2022-2023 Policies for approval
<b>TRUSTEES – FINANCE &amp; AUDIT</b>		
<b>TERM 1</b>	<b>TERM 2</b>	<b>Term 3</b>
Budget forecast return three year (BFR3Y) Review and update standing orders (where applicable) BMR/Balance Sheet/Cash Flow Forecast Submit CIF bids Principal/Vice Principal Performance Management arrangements Review Internal Scrutiny Report 1 Interim Audit – External (Summer) Accounting Officer Letters Review GDPR Risk Management Policy & Register Whistleblowing policy Governor Recruitment Policy Other policies for approval	BMR/Balance Sheet/Cash Flow Forecast Review Staffing Review internal scrutiny report 2 Approve & submit SRMSAT Accounting Officer Letters Review GDPR Risk Management Policy & Register Policies for approval	BMR/Balance Sheet/Cash Flow Forecast Review Staffing Review internal scrutiny report 3 Review effectiveness of Internal & external Auditors and provide report for Members. Agree review schedule for following year Accounting Officer Letters Review GDPR Policies for approval

<b>TRUSTEES – FINANCE, STAFFING &amp; RESOURCES</b>		
<b>TERM 1</b>	<b>TERM 2</b>	<b>TERM 3</b>
Approve Audited Accounts for submission to Trust Board BMR/Balance Sheet/Cash Flow Forecast Premises Budget Incremental Staff increases for approval Cost of Living Increases for approval Upper Pay Scale Increases for approval Review Staffing/Staff Wellbeing Review H&S Minutes Review programme of summer works undertaken Accounting Officer Letters Policies for approval	BMR/Balance Sheet/Cash Flow Forecast Premises Budget Review H&S Minutes Maintenance/Project work update Review Staffing/Staff Wellbeing Accounting Officer Letters Policies for approval	BMR/Balance Sheet/Cash Flow Forecast Premises Budget Review H&S Minutes Maintenance/Project work update/Summer works Review Staffing/Staff Wellbeing Accounting Officer Letters Policies for approval
<b>TRUSTEES – STUDENTS</b>		
<b>TERM 1</b>	<b>TERM 2</b>	<b>TERM 3</b>
Review Examination and national results Pupil Place Planning Student Governors Report <ul style="list-style-type: none"> <li>● Attendance</li> <li>● Behaviour</li> <li>● SEN Update</li> <li>● CBSC SEN Offer</li> </ul> SEN Policy Safeguarding Policy Policies for approval	Student Governors Report <ul style="list-style-type: none"> <li>● Attendance</li> <li>● Behaviour</li> <li>● SEN Update</li> <li>● CBSC SEN Offer</li> </ul> SEN Policy Safeguarding Policy Behaviour Policy Policies for approval	Student Governors Report <ul style="list-style-type: none"> <li>● Attendance</li> <li>● Behaviour</li> <li>● SEN Update</li> <li>● CBSC SEN Offer</li> </ul> SEN Policy Safeguarding Policy Policies for approval

## **7. Terms of Reference – All Committees**

### *8.1 General Terms*

- To act on matters delegated by the full governing body.
- To liaise and consult with other committees where necessary.
- To contribute to the School Development Plan and School Improvement Plan.
- To consider safeguarding and equalities implications when undertaking all committee functions.

### *8.2 Committee Structures & Chairs*

The membership of each committee and the Chair or each committee will be agreed on an annual basis at the first meeting of the Trust Board (Term 1). No trustee employed at the academy will act as chair to the committee. In the absence of the chair the committee will elect a temporary replacement from among the trustees present at the committee meeting.

### *8.3 Clerk to Committees*

The Trust employs a Clerk to minute all meetings. In the absence of the clerk the committee shall choose a clerk for that meeting from among their number (someone who is not the Principal).

### *8.4 Quorum*

For committee meetings, the quorum is a minimum of three trustees.

### *8.5 Staff Representatives*

The CBSC Trust Board values the input and feedback from all their staff. In the meeting of the Trust Board on 25<sup>th</sup> May 2021, it was agreed that staff representatives will be invited to attend future committee meetings (staff will have to depart in relation to confidential items) to assist and advise. These staff may contribute to the meeting however shall not be entitled to vote.

Notice of each meeting confirming the venue, time and date together with an agenda of items to be discussed shall be forwarded to each staff representative, no later than seven days before the date of the meeting.

Supporting paperwork pertaining to the meetings will be issued to each staff representative no later than seven days before the date of the meeting.

### *8.6 Meetings*

The Committee meetings will not be open to the public but minutes shall be made available. Information relating to a named person or any other matter that the committee considers confidential does not have to be made available for inspection.

See point 4 for regularity of meetings.

### *8.7 Notice of Meetings*

Notice of each meeting confirming the venue, time and date together with an agenda of items to be discussed shall be forwarded to each member of the relevant committee, no later than seven days before the date of the meeting.

Supporting papers shall be uploaded onto the Governors Folder, located on Google Drive, for the relevant committee member to access, no later than seven days before the date of the meeting.

#### *8.8 Decisions & Votes*

Any decisions taken must be determined by a majority of votes of trustees present and voting. Where there is an equal division of votes, the Chair of the meeting shall have a casting vote in addition to any other vote they may have.

#### *8.9 Minutes of Meetings*

The Clerk shall minute the proceedings and decisions of meetings of the Committee, including recording the names of those present and in attendance.

Once approved by the Chair of the committees, minutes should be circulated to all members of the Committee and, unless it would be inappropriate to do so, to other members of the Board of Trustees.

### **8. Terms of Reference – Finance, Staffing & Resources (in addition to Point 8)**

#### *9.1 Purpose*

To assist the decision making of the governing body, by enabling more detailed consideration to be given to the best means of fulfilling the governing body's responsibility to ensure sound management of the academy's finances and resources, including proper planning, monitoring and probity.

To contribute to the School Development/Improvement Plan.

#### *9.2 Duties*

Financial policy & planning:

- To review, adopt and monitor a Finance Policy which includes this document for spending and budgetary adjustments (virements) for the committee, Principal and other nominated staff.
- To review, adopt and monitor all additional financial policies, including a charging and remissions policy.
- To establish and maintain a three year financial plan, taking into account priorities of the School Improvement Plan, roll projection and signals from central government, within the constraints of available information.
- To draft and propose to the Trust Board for adoption an annual school budget taking into account the priorities of the School Improvement Plan.
- To make decisions in respect of service level agreements.
- To ensure that sufficient funds are set aside for pay increments as set out in the Pay Policy and as recommended by the Principal

Financial Monitoring:

- To monitor the income and expenditure throughout the year of all delegated and devolved funds against the annual budget plan.
- To receive at least termly budget monitoring reports from the Finance Manager/Principal

- To report back to each meeting of the Trust Board and to alert them of potential problems or significant anomalies at an early date.
- To liaise with other committees and provide them with the information they need to perform their duties.
- Subject to this document, to approve any budgetary adjustments that will from time to time be necessary in response to the evolving requirements of the school.

#### Staffing

- To ensure that the school is staffed sufficiently for the fulfilment of the school's development plan and the effective operation of the school.
- To establish and oversee the operation of the school's Performance Management Policy - including the arrangements and operation of the school's appraisal procedures for the Principal
- To establish a Pay Policy for all categories of staff.
- To be responsible for the administration and review of the Pay Policy.
- To ensure that staffing procedures (including recruitment procedures) follow equalities legislation.
- To annually review procedures for dealing with staff discipline and grievances and make recommendations to the Trust Board for approval.
- To monitor approved procedures for staff discipline and grievance and ensure that staff are kept informed of these.
- To recommend to the Trust Board staff selection procedures, ensuring that they conform with safer recruitment practice, and to review these procedures as necessary.
- In consultation with staff, to oversee any process leading to staff reductions.
- To establish the annual and longer-term salary budgets and other costs relating to personnel, e.g. training.

#### Premises:

- To provide support and guidance for the governing body and the Principal on all matters relating to the maintenance and development of the premises and grounds, including Health and Safety.
- To ensure that an annual inspection of the premises and grounds takes place and a report is received identifying any issues.
- To inform the governing body of the report and set out a proposed order of priorities for maintenance and development, for the approval of the governing body.
- To arrange professional surveys and emergency work as necessary.
- The Principal is authorised to commit expenditure without the prior approval of the committee in any emergency where delay would result in further damage or present a risk to the health and safety of pupils or staff. In this event the principal would normally be expected to consult the committee chair at the earliest opportunity.
- To create a project committee where necessary to oversee any major developments.
- To establish and keep under review an Accessibility Plan and a Building Development Plan
- To review, adopt and monitor a Health and Safety policy.

- To ensure that the governing body's responsibilities regarding litter, refuse and dog excrement are discharged according to Section 89 of the Environmental Protection Act 1990, so far as is practicable.

## **9. Terms of Reference – Curriculum (in addition to Point 8)**

### *10.1 Purpose*

To plan, monitor and review the academic arrangements of the school in order to ensure that the school maintains and delivers a broad and balanced curriculum in keeping with aims of the school.

### *10.2 Duties*

- To review, monitor and evaluate the curriculum offer.
- To recommend for approval to the full governing body the:
  - Self-evaluation form
  - School Improvement Plan
  - Targets for school improvement to the governing body
- To monitor and evaluate the impact of quality of teaching on rates of pupil progress and standards of achievement
- To monitor and evaluate rates of progress and standards of achievement by pupils, including any underachieving groups
- To monitor and evaluate the impact of continuing professional development on improving staff performance
- To set priorities for improvement, and monitor and evaluate the impact of improvement plans which relate to the committee's area of operation.

## **10. Terms of Reference – Students (in addition to Point 8)**

### *11.1 Purpose*

To consider and advise on any matters within the remit of the governing board, involving the interests of students

### *11.2 Duties*

- To monitor and evaluate rates of progress and standards of achievement by pupils, including any underachieving groups
- To monitor and evaluate the impact of continuing professional development on improving staff performance
- To set priorities for improvement, and monitor and evaluate the impact of improvement plans which relate to the committee's area of operation.
- To ensure that all children have equal opportunities.
- To advise the resources committee on the relative funding priorities necessary to deliver the curriculum.
- To develop and review policies identified within the school's policy review programme and in accordance with its delegated powers (e.g. sex education and pupil behaviour/discipline).

- To ensure that the requirements of children with special needs are met, as laid out in the Code of Practice, and receive termly reports from the Principal/SENCO and an annual report from the SEN governor(where appointed).

## **11. Terms of Reference – Finance & Audit (in addition to Point 8 and Point 9)**

### *12.1 Purpose*

The Trustees recognise the overriding principles of the The Academy Trust Handbook (also known as the Academies Financial Handbook) and that the Audit Committee should be established in such a way as to achieve internal scrutiny which delivers objective and independent assurance for the Trust. In establishing the Committee the Trustees will adhere to the principles of the AFH and:

- Staff employed by the Trust will not be members of the Committee, but may attend meetings to provide information and participate in discussions, if invited by the Chair.
- The Accounting Officer and other relevant senior staff will routinely attend committee meetings in the capacity set out above.

### *12.2 Duties*

- To prepare the Trustees Report to form part of the Statutory Accounts of the governing body and for filing in accordance with Companies Act requirements.
- Reviewing the Trust's internal and external financial statements and reports to ensure that they reflect best practice
- Considering all reports by the appointed external auditor, including reports on the Trust's accounts, and the response to any management letters
- Reviewing the effectiveness of the Trust's internal control system to ensure that the Trust's aims and objectives are achieved economically and effectively
- Considering internal audit reports, including value-for-money reports and the arrangements for their implementation
- Considering and advising the Board on the Trust's annual and long-term audit programme;
- Reviewing the Whistleblowing Policy and recommending it to the Trust Board for approval every two years
- Developing, reviewing and monitoring the Trust's risk register and procedures for risk management
- Reviewing the arrangements made for compliance with the General Data Protection Regulation 2019;
- Recommending to the Board the appointment or reappointment of the external and internal auditors.