



Highams Park Academy Trust

Policy and Scheme of Delegation

Date of Review	SLMT Lead	Trustees Approval
30 th September 2021	Tim Morris	30 th September 2021 9 th December (amended)
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Date of next review: September 2023

Policy and Scheme of Delegation

Statement of Levels of Internal Financial Control October 2022

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1. Introduction

- 1.1 The Articles (“ART”) of Association of Highams Park Academy Trust (“the Trust”) specify (at Article 94) that ‘the business of the Trust shall be managed by the Trustees who may exercise all the powers of the Trust’.
- 1.2 Article 102 permits the Trustees to delegate their powers and functions to a Trustee, Committee, the Principal or a member of Staff.
- 1.3 Any delegation is, however, subject to the Trustees’ duty to comply with the provisions of the Trust’s Funding Agreement (“TFA”) with the Secretary of State for Education and with the requirements of the Education Funding Agency set out in Academies’ Trust Handbook (“ATH”), both of which should be read in conjunction with this Policy.
- 1.4 This Policy and Scheme of Delegation incorporate the Trust’s Financial Regulations, their associated statement of Levels of Internal Financial Control and the Trust’s Purchasing Policy.
- 1.5 The Policy and Scheme of Delegation will be the subject of annual review by the Trustees at their first meeting of the year.

2. The Board

2.1 The Board have the overarching duties:

- Of compliance with HPAT’s object its governance documents and all relevant legislation, regulation and guidance;
- Of care, to ensure that HPAT is well run, efficient and that risks are managed
- Of prudence in managing HPAT’s assets

3. Exercise of Delegated powers

3.1 Powers delegated under this Policy and Scheme to Committees and Sub-Committees may be exercised in cases of urgency by the Chair of the Committee or Sub-Committee, provided that the members of the Committee or Sub-Committee are notified.

3.2 Powers delegated under this Policy and Scheme to the Principal shall be exercised by:

- 3.2.1 (in the absence or incapacity of the Principal) the Deputy Principal acting on behalf of the Principal;
- 3.2.2 the corporate office of Principal, that is the Principal in person or a member of staff of the Trust, such person having been authorised directly by the Scheme or by the Principal, the Principal's authorisation to be reported to the Trustees.

4. Principles underpinning the Policy and Scheme

The principles on which this Policy and Scheme of Delegation are based are:

4.1 Responsibility

Whilst the power to discharge a function of the Trust may be delegated by the Trustees, the Trustees' responsibility for the function is not.

4.2 Reporting and Realism

The Articles of the Trust prescribe for an action or decision taken under delegated powers to be reported to the Trustees. The realism is that the exercise of day-to-day management functions of the Principal (and, through the Principal, or designated staff of the Trust), whilst flowing from powers delegated to the Principal, will not be regarded by the Trustees as reportable actions or decisions.

4.3 Reflection

Any action or decision taken under delegated powers should reflect the Trust's Core Values.

4.4 Reasonability

Any action or decision taken under delegated powers must be reasonable. The Trustees may call in a delegated decision for review if they consider it to have been unreasonable.

4.5 Referral

The Principal, a Committee, or a Sub Committee of the Trustees may refer to the Trustees the determination of any action or decision delegated to them under the Scheme of Delegation.

4.6 Reservations, Powers reserved to the Board

Some functions are not delegable by the Trustees. Other functions, identified by the Trustees, are not delegated. All these are shown as Reservations in the Scheme of Delegation.

For the avoidance of doubt, the Reservations include, but are not restricted to, are

Setting the vision, ethos and strategic direction of the Academy by the determination of HPATs strategic and development plans including;

- Amendment of the Trust's Core Values and/or Articles and/or Funding agreement, for which any proposal must be referred to a General Meeting of the Trust;
- Approval of the Trust's annual report, governance statement and accounts, which must be referred to a General Meeting of the Trust;
- Approval by the Trustees of the Trust's annual budget;
- Approval by the Trustees of all policies of the Trust, including but not limited to Finance Policy, Risk, Curriculum, Staff Pay and Conditions of Employment Policy and Projected forward 3 year budget;

- Designation by the Trustees of an officer of the Trust to be the Accounting Officer;
- Appointment by the Trustees of the
 - Principal
 - Deputy Principal(s)
 - Company Secretary
 - Secretary to the Trustees
 - Internal Auditors

5. Committees

Powers delegated to Committees established by the Board;

The Board will establish 3 Standing Committees;

- **Resources Committee**
- **Audit and Risk Committee**
- **Academy Effectiveness Committee**

The committees have responsibilities delegated to them within this policy. These responsibilities are defined in the committee remits.

The committee's functions are discharged in part through sub committees comprising of a mixture of Trustees and non-Trustee membership. The remits and structure of these committees are attached to this policy as Appendix 3.

6. Scheme of Delegation

Reservations to the Trustees and delegation by the Trustees to Committees and to the corporate office of Principal are set out by way of categories of co-operation in Annex 1 in a Table, which also identifies the following broad areas of function.

- Admissions
- Curriculum
- Finance
- Governance
- Site and Assets
- Staffing

These areas are reflected in the designation and Terms of Reference of the standing Committees established by the Trustees.

7. Statement of Levels of Internal Financial Control

7.1 Virement between budget headings

Up to £5,000	ABM (acting in the capacity of the CFO)
£5,000 to £50,000	Deputy Principal
Over £50,000	Principal, having consulted the Resources Committee

7.2 Payments and intra account transfers

Description of Transaction	Delegated Authority	Value (£)
Intra bank transfers	ABM	Unlimited Amounts
BACS Payment Authorisation	2 approved signatories	(Up to & Incl £100K)
BACS Payment Authorisation	Principal + Any Signatory	Unlimited Amounts

7.3 Purchasing thresholds (See also Annex 2 - Purchasing Policy and Procedures)

Up to £5,000	Budget holders approve based on evidence of best value
£5,000 to £25,000	SLMT at least 3 written quotations and adhering to public sector notice requirements as necessary.
£25,000 to £50,000	ABM suitable evidence of best value
£50,000 to £100,000	Principal having consulted the Resources Committee with 3 formal tenders
Over £100,000 to EU Threshold	Full Board at least 3 formal tenders
Over EU Threshold	Full Board, adverts will be placed in accordance with the OJEU procurement requirements

7.4 Disposal of Assets

Value up to £1,000	ABM
£1,000 to £5,000	Deputy Principal
Over £5,000	Principal, having consulted the Resources Committee
Freehold Land and Buildings	ESFA

7.5 Write-off of Bad Debts

Up to £1,000	ABM - maintaining the principles of regularity, propriety and value for money
£1,000 to £5,000	Deputy Principal - maintaining the principles of regularity, propriety and value for money
Over £5,000 up to 1% of total income	Principal, having consulted the Resources Committee
Over 1% of total income or £45,000 (whichever is smaller) per single transaction or cumulatively 2.5% of total income (to a maximum of £250,000) or 5% of total (to a maximum of £250,000) in any financial year	ESFA

7.6 Income invoice and Credit Note Approval

Up to £25,000	ABM
£25,000 to £50,000	Deputy Principal
Over £50,000	Principal, having consulted the Resources Committee

7.7 Petty Cash

Up to £250	ABM
Principal petty cash limit	Approved by the Chair

7.8 All expenditure in accordance with the limits set in this policy

Staff	Line manager
Claims made by COO	Approved by ABM
Claims made by ABM	Approved by Principal
Claims made by Principal	Approved by Chair
Claims made by Trustees	Approved by Company Secretary

7.9 Payroll Authorisation

Line managers must approve overtime ahead of the overtime being carried out and provide a business case for doing so.

Amendments to Principals pay must be approved annually at the subcommittee of the resources committee. All other staff pay amendments are approved by the Principal.

The Trust is responsible for authorising the following payments to staff:

- compensation payments
- ex-gratia payments
- severance payments

Ex gratia transactions must always be referred to ESFA for prior approval.

Compensation Payments (including non-statutory/non-contractual element of under £50,000 (gross, before income tax or other deductions)

Approved by Chair

Compensation Payments (including non-statutory/non-contractual element of over £50,000 (gross, before income tax or other deductions)

Approved by ESFA

Ex gratia transactions must always be referred to ESFA for prior approval. HM Treasury approval may also be needed.

Chairs authorisation prior to ESFA approval

Staff Severance Payments

Statutory/contractual payment up to £30,000

Approved by Chair

Statutory/contractual payment		Non-statutory/noncontractual payment	ESFA/HM Treasury approval required?
£30,000	+	£30,000	No
£60,000	+	£30,000	No
£30,000	+	£50,000	Yes - for £50,000

7.10 Credit Cards

The school credit cards are NOT used for personal expenses. The credit cards are kept in the finance office and are not carried by the named card holders.

Expenditure is delegated to the ABM and COO.

The limits of the credit cards are £5,000 as set by the Trustees.

Approval of credit card purchases:

ABM - Principal

COO - ABM

7.11 Direct Debits and Standing Orders

These will be set up in accordance with the academy's Cheque Signatory process.

7.12 Assets Capitalisation

£2,500	Capitalisation threshold
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7.13 Income Processing

The school should regularly review the procedure for the receiving, recording and processing of all income including procedures for chasing student debt and all systems included in processing income received.

Resources Committee Remit

Purpose

The role of the Resources Committee shall be to

- It shall also report to HPAT's Board on the assessment, monitoring, review and management of HPAT's financial and personnel resources
- To keep under review and to report on the ongoing maintenance management and development of the Trust's premises and related capital assets.
- Review and ratify policies delegated to this Committee

The committee's tasks include but are not restricted to the assessment, monitoring and management of HPAT's:

- Income and expenditure;
- Financial management and audit;
- Compliance with ESFA and other regulatory finance related requirements;
- Employment of staff
- Use, maintenance and development of premises;
- Compliance with Health and Safety and other Statutory Regulations including 'Health and safety: responsibilities and duties for schools' directives.

Composition

The membership of the Resources Committee will comprise:

- the Chair and Vice- Chair of the Board (one of whom shall be designated by the board as Chair of the Committee)
- up to 5 other Trustees appointed by the Board for the ensuing year at the first meeting of the Board in each school year.

The quorum for the Committee will be 3.

In the event of a vote being tied, the Chair of the Committee will have a deciding vote. The Committee will be advised by the following reporting officers:

- the Principal (as HPAT's Accounting Officer)
- the Academy Business Manager
- the Chief Operating Officer in charge of Estates
- The senior member of staff responsible for Health and Safety Regulations
- The Company Secretary / Secretary to the Board
- Other reporting officers authorised by the Principal and approved by the Committee.
- Attendance by a member at a meeting of the Committee may be permitted, with the approval of the chair of the Committee, to be by electronic means.

Frequency of Meetings

One meeting each half term.

Agenda, Minutes and Action List

The Secretary to the Board shall:

- send to the members of the Committee the agenda of and written reports required for the meeting five working days prior to the meeting date.
- draft the minutes and action list of any meeting of the Committee and submit that draft to the chair of the Committee for emendation if any and for approval;
- place on the Academy website the draft as approved by the chair of the Committee;
- submit the draft:
 - to the next following meeting of the Board for presentation thereof by the chair of the Committee; and
 - to the next meeting following of the Committee for confirmation by the Committee.

Terms of Reference

1. Financial Management

- To establish and maintain an up to date 3-year strategic financial plan.
- Having regard to the advice of the Principal and Academy Business Manager, to approve and recommend to the Board a balanced budget for the next financial year.
- To challenge robustly monitoring reports on the performance of the in - year budget and report termly to the Board on progress, setting out any virement decisions taken under delegated powers by the Principal or the Committee and any significant anomalies from the anticipated position of individual project budgets.
- To review benchmarking data on an annual basis to secure best value for money.
- To review and decide on service agreements and contracts up to a value of £100,000
- To consider and recommend to the Board the adoption of the annual accounts from the independent Accountants
- To take into consideration any recommendations made by other committees which have financial implications.

2. Staff matters

The Committee shall consider and advise the board on all matters relating to the following;

- HPATs policies for staff pay and conditions of employment
- The determination within these policies on the recommendation of the Principal any payment to a member of staff in respect of their dismissal.
- To receive reports from Sub-Committees dealing with the determination of teachers' performance related pay and staff disciplinary proceedings.
- To determine, within these policies, staff dismissal payments if and where appropriate.

3. Premises matters

- To keep under review and to report to the Board on the strategy for the long-term maintenance and development of the Trust's capital assets.
- To approve for submission any capital bids with additional revenue consequences of up to £100,000.
- To recommend to the Board any Capital bids with revenue consequences over £100,000.
- To receive consider and when required, recommend to the Board any reports in accordance with the Academy's Tendering Policy
- To keep under review and to report on the maintenance management and development of the Trust's premises and related capital assets.
- To receive reports from the designated Health and Safety officer and ensure timely resolutions of outstanding issues are reached.

Sub-Committees of the Resources Committee

1. Staffing Sub-Committee (SSC)

Purpose

To report through the Resources Committee to the Board on;

- Pay and conditions of employment of HPAT's staff; and their discipline including but not limited to their dismissal; and to determine performance payments to eligible staff.

Composition

The membership of the Staffing Sub-Committee will comprise:

- the Chair of the Resources Committee who shall be Chair of the subcommittee;
- 2 other Trustees who are not employees of HPAT, appointed by the Board from members of the Resources Committee at the first meeting of the Board in each school year.

The quorum for the Sub - Committee will be 3. (excluding of Teaching/Support staff membership)

In the event of a vote being tied, the Chair of the Sub-committee will have a deciding vote.

Reporting Officers

The Sub-Committee will be advised by the following reporting officers:

- the Principal (who shall withdraw when his/her own pay is under consideration) and
- (in respect of the Principals pay the Chair of the Staffing Sub Committee.

Frequency of Meetings

The Secretary to the Board will convene the meetings.

Annually in respect of the review of the Trust's pay and conditions of employment policies; and performance payments to eligible staff.

As necessary in respect of staff discipline hearings.

Attendance by a member of the meeting may be permitted, with the approval of the chair of the committee, to be by electronic means.

The quorum for a meeting of the Committee shall be three.

Agenda, Minutes and Action List

The Secretary to the Board shall:

- Send to the members of the Committee the agenda of and written reports required for the meeting five working days prior to the meeting date.
- draft the minutes and action list of any meeting of the Committee and submit that draft to the chair of the Committee for emendation if any and for approval;
- place on the Academy website the draft as approved by the chair of the Committee;
- submit the draft:
 - to the next following meeting of the Board for presentation thereat by the chair of the Committee; and
 - to the next meeting following of the Committee for confirmation by the Committee.

Terms of Reference

1. To keep under review and to advise the Board through the Resources Committee, on the Pay and Employment Policies to be adopted for all employees at the school.
2. To determine where applicable, performance pay of employees of HPAT.
3. In regard to teachers' pay and conditions of employment, the Sub-Committee will:
 - Receive the Principal's report on the annual pay progress of teachers including Deputy Vice and Assistant Principals.
 - Consider and approve the recommendations of the Principal on applications by teachers to be paid on the upper pay range.
 - Consider and determine pay progress for the Principal, taking account of the recommendations of the chair of the Sub-Committee, (these recommendations to be made by the chair having considered an independent assessment of the Principal's Performance Management);
 - Consider and determine the application to teachers employed by HPAT of any pay increase applicable to teachers in maintained schools.

- Monitor and report annually to the Board of Trustees on the pattern of performance pay progression at each level and the correlation between pay progression, quality of teaching and outcomes for students.

4. Staff Discipline

- To determine and make decisions on matters relating to staff indiscipline and capability including but not limited to their dismissal.

2. **Staff Pay and Conditions Appeals Sub Committee (SPCASC)**

Purpose

The function of (SPCASC) to consider and determine appeals made by staff against pay and conditions of employment decisions made by (SSC)

Composition

To consist of three Trustees who are not employees of the Academy and not members of SSC.

Frequency of meetings

Meetings held as required.

Terms of Reference

The function of (SPCASC) to consider and determine appeals made by staff against pay and conditions of employment decisions made by (SSC).

3. **Staff Discipline Appeals Sub-Committee (SDASC)**

Purpose

The function of SDASC to consider and determine appeals made by staff against decisions made by the SSC.

Composition

Membership to consist of three members of the Board of trustees, drawn from a panel of eligible Trustees, that is to say Trustees who are not employees of HPAT and who have not been members of the SSC against whose decision the appeal is made.

Frequency of meetings

Meetings held as required.

Terms of Reference

To consider and determine appeals made by staff against decisions made by the SSC.

Audit and Risk Committee

Purpose

The role of the audit and risk committee is to:

- Oversee and approve the trust's programme of internal scrutiny
- Ensure that risks are being addressed appropriately through internal scrutiny
- Maintain the independence in internal scrutiny processes
- Report to the board on the adequacy of the trust's internal control framework (this includes financial and non-financial controls and management of risks)
- Recommend to the Board the adoption of the annual report of the independent auditors
- Advise, liaise, and recommend to the members of the trust the appointment of the independent auditors

Composition

The Audit and Risk Committee shall comprise

- 3 Trustees appointed by the Board

The Chair of the Trust must not be the chair of the committee.
Staff members must not be members of the committee

The quorum for the Committee will be 3.

In the event of a vote being tied, the Chair of the Committee will have a deciding vote.

Reporting Officers

The Reporting Officers shall be

- The Principal
- The ABM
- Other executive leaders authorised by the Principal and approved by the Committee

In attendance

- The Company Secretary/ Secretary to the Board

Frequency of Meetings

The committee will meet at least 3 times a year.

Terms of Reference

Audit and Risk matters

- To identify and manage HPAT's organisational risks.

- To appoint and to receive reports from the Trust's internal auditors and action recommendations where necessary, including amendments to the Statement of Internal Control.
- To consider and recommend to the Board the adoption of the annual report of the independent Auditors and to receive and take appropriate action on any recommendations made by them.
- To advise the members of the trust board the need to commence the process of appointing independent auditors and to take instruction on procedure.

Academy Effectiveness Committee

Purpose

The purpose of the Committee is to monitor, review and report to the Board on matters related to the Academy's curriculum including:

- the attendance, behaviour, discipline, health, inclusion, safeguarding and welfare of all students
- students' progress and achievements.
- review and ratify policies delegated to this Committee

Composition

The Academy Effectiveness Committee shall comprise:

- the Chair and Vice- Chair of the Board;
- up to 5 other Trustees appointed by the Board;

Reporting Officers

The Reporting Officers shall be

- the Principal;
- the Deputy Principals;
- other executive leaders authorised by the Principal and approved by the Committee.

The Reporting Officers shall ensure that reports and data are presented in a format in which key issues are readily identified and monitored.

In attendance

- The Company Secretary/ Secretary to the Board

Committee Process

Appointment and term of office of the chair of the Committee;

At the first meeting of the Board in each school year, the chair of the Committee will be appointed by the Board for the ensuing year from amongst the members of the Committee.

Meetings of the Committee

The Secretary to the Board will convene the meetings.

The agenda of and reports to a meeting of the Committee shall be sent by the Secretary to the members at least five working days before the meeting.

The Committee shall not normally meet by electronic means.

Agenda, Minutes and Action List

The Secretary to the Board shall:

- Send to the members of the Committee the agenda of and written reports required for the meeting five working days prior to the meeting date.
- draft the minutes and action list of any meeting of the Committee and submit that draft to the chair of the Committee for emendation if any and for approval;
- place on the Academy website the draft as approved by the chair of the Committee;
- submit the draft:
 - to the next following meeting of the Board for presentation thereof by the chair of the Committee; and
 - to the next meeting following of the Committee for confirmation by the Committee.

Quorum

The quorum for any meeting of the Committee shall be three.

Frequency of Meetings

Once every half term

Terms of Reference of the Committee

1. The Committee shall consider and advise the Board on all matters relating to:

- the teaching and learning of all students;
- the attendance, behaviour and discipline of all students;
- the provision made for the safeguarding of all students;
- the provision made for students with special educational needs;
- the provision of and arrangements for students' educational visits;
- the charges to be made for those educational visits or for any other educational provision made by, in the name of or at the Academy.

2. The Committee shall hold the Academy's executive leadership to account for the progress and achievement of all students using rigorous data analyses and of the implementation of the broad and balanced curriculum provided by the Academy. Also, for implementation of the broad and balanced curriculum provided by the Academy (under the Trust's Articles of Association and Funding Agreement) including but not limited to, the provision of Religious Education and collective worship; sex and relationship education; other statutory imperatives such as those relating to disadvantaged students and those students with special educational needs and disabilities.

3. The Committee shall review, monitor and evaluate the curriculum offer to students to ensure that:

- there is equality of curriculum opportunity for all students;
- the curriculum is relevant to and effective for the needs of all students;
- the Academy promotes the highest standards of student achievement and academic standards;
- the Trust's staff are provided with suitable professional development training in order to enable the continuous improvement of their practices;
- the Board is alerted in good time to any curriculum developments that may require additional funding.

4. The Committee shall consider and recommend to the Board the:

- self-evaluation form / Academy Improvement Plan;
- Academy's teaching and learning strategy;
- next following annual programme of dates of the Academy's terms and holidays;
- times at which the Academy is in session for students.

Reporting their decisions to the Academy Effectiveness Committee

Student Discipline Committee

Purpose

The Student Discipline Committee shall take decisions on behalf of the Board on the exclusion of specified students from the Academy.

Terms of Reference

The Committee shall consider and determine the Principals' decision on:

- the permanent exclusion of any student; and on
- an exclusion by the Principal of a student for a fixed term of six days or more.

In doing so, the Committee shall follow the current statutory guidance issued by the Department for Education.

Composition and chair

This must be either 3 or 5 Trustees. An odd number of trustees is required. Members should, as far as possible, have no prior knowledge of the matter, which means that the detail of individual student exclusions must not be discussed in trustees' meetings.

To discuss the matter in advance will compromise the ability of the trustees to reach a fair decision, based on natural justice, and could make the process invalid, and flawed.

Trustees must not sit on the panel if any of the following apply:

- know the student and/or his/her family;
- witnessed the incident that led to the exclusion;
- have a child who was a witness to the incident and has told them about it;
- have a spouse/partner who was involved in the incident;



- for any other reason they may not be able to be impartial;
- is a member of the school staff;
- is the chair of trustees and discussed the student with the Principal

The chair of the Board shall appoint the chair of the Committee.

Reporting Officer

The Principal - as a party to the hearing

Frequency of Meetings

As and when required.

Convenor of Meetings

The Secretary to the Board.

Advice to the Committee/Recording and Minutes of Meetings/Notification of Decisions to the Parties and to the Academy Effectiveness Committee

A trained Acting Clerk engaged by the Secretary to the Board.



1. In Year Admissions Sub Committee

Purpose

To consider in year admissions made to the school when required and to make decisions on behalf of the Board regarding these applications, having regard to the relevant Admissions Code.

Composition

3 Trustees

School Admissions Officer (as a reporting officer)

Frequency of meetings

As and when required

Terms of Reference

1. To keep under review, the number and nature of in year applications to the school and the results of such applications.
2. To make decisions on behalf of the Board regarding these admissions

Powers delegated to the Sub-Committee

To approve or otherwise in year admissions

Powers Delegated to Officers of the Board and to Chairs of Committees or Sub - Committees established by the Board

1. The Chair of the Board

Powers reserved to the Board may be exercised in the case of urgency by the Chair of the Board provided the Principal has been consulted and members of the Board are notified by electronic means.

2. Chairs of all Committees and Sub - Committees established by the Board

A power not reserved to the Board but remitted to a Committee under this Policy may be exercised in cases of urgency by the Chair of the Committee provided the Chair of the Board and Principal have been consulted and members of the Committee are notified by electronic means.

3. Powers delegated to the Principal

Powers delegated to the Principal shall be exercised by:

The Principal in person;

(in the absence or incapacity of the Principal) the designated Deputy Principal, or;

(in the absence or incapacity of the designated Deputy Principal) a member of HPAT's senior management team, such person having been authorised directly by the Principal, the authorisation having been previously approved by the Board.

The Board delegate to the Principal powers to:

Determine and carry out HPAT's operational, management and administrative practices and procedures;

Authorise expenditure within HPAT's approved project budgets, the Academy Business Manager reporting that expenditure to the Board at each quarterly meeting; (see section 7.1 of the policy and scheme of delegation for virement levels);

Manage and supervise HPAT's staff; provide for their support and guidance; and exercise their discipline including but not limited to the termination of their employment for reasons of capability, conduct or redundancy;

Enter into partnership or contract agreements valued up to £50,000 that are within HPAT's objects having ensured that a process of due diligence has been carried out;

Assess and manage HPAT's organisational risks on an ongoing basis, reporting findings to the Resources Committee;

Submit capital funding bids to DfE up to a value agreed by the Resources Committee.



4. The Board delegate powers to the Company Secretary/Secretary to the Board to ensure that HPAT:

- Acts in all matters relating to the appointment, election and retirement of trustees in accordance with the Articles of Association;
- Complies with charity and company law and with the requirements of DfE and ESFA regulations and guidance;
- Prepares and submits in good time reports, Annual Returns and accounts as required by law and by DfE/ESFA;
- Does not breach any of the provisions of HPAT's Articles of Association and remains true to the charitable purpose and objects set out there.

Purchasing Policy and Tendering Procedures

1. Purchasing Policy

1.1 Purchases or contracts below £5,000 shall be subject to evidence of best value.

Purchases or contracts above £5,000 shall be the subject of previous quotation or tender as follows:

1.2.1 above £5,000 and up to £25,000, at least three written quotations;

1.2.2 above £25,000 and up to £50,000, three quotations based on a written specification and evaluation criteria to be submitted in writing by a specified date and time

1.2.3 above £50,000 and up to EU thresholds, 3 tenders

1.2.4 over EU thresholds, adverts will be placed in accordance with the OJEU procurement requirements

1.2 The values are for single items or groups of items, which must not be disaggregated artificially.

1.3 The applicable sterling equivalents of EU thresholds (net of VAT) are published on 1 January of each even-dated year.

1.4 For tenders expected to exceed EU thresholds, advertisements will be placed in OJEU (the Official Journal of the European Union) and must follow EU procurement requirements with particular regard to be given to the timescale for such tenders.

2. Tendering Procedures (over £50,000)

Invitations to submit tenders will be advertised on the school website, in newspapers and trade journals as appropriate.

The invitations to tender will include:

2.2.1 an introduction/background to the project;

2.2.2 the scope and objectives of the project;

2.2.3 any technical requirements;

2.2.4 implementation details for the project;

2.2.5 the terms and conditions of the tender; and

2.2.6 the form and date of response to the Trust

2.3 All replies should be addressed to the Principal in a plain sealed envelope marked 'Tender' to reach the school by a specified date, unless an appropriately qualified Consultant has been appointed by the Trustees to manage the Tender process. All replies must be kept sealed until that date.

2.4 All tenders will be opened at the same time by the Principal and at least one Trustee, except when an appropriately qualified Consultant has been appointed, under which circumstances, a formal tender report will be provided to the Trustees.

2.5 The details of the contractor and the sum of the quotation will be recorded at the time of opening.

2.7 No contractor will be allowed to amend the tender after the time fixed for receipt.

2.8 The Principal will keep a separate correspondence file for each tender which will contain copies of all correspondence or other relevant information.

2.9 The following factors will be considered when deciding which tender to recommend:



- 2.9.1 the overall price and the individual items or services which make up that price;
 - 2.9.2 whether there are any 'hidden' costs; that is additional costs which the academy will have to incur to obtain a satisfactory product;
 - 2.9.3 whether there is scope for negotiation / value engineering, while being fair to all tenderers;
 - 2.8.4 the qualifications and experience of the supplier, including membership of professional associations;
 - 2.9.5 compliance with the technical requirements laid down by the specification;
 - 2.9.6 whether certificates of quantity and/or guarantees are included;
 - 2.9.7 the supplier's quality control procedures, pre - sales demonstrations and after - sales service; the financial status of the supplies;
- References from other establishments.

- 2.10 A decision on the tender will be recommended by the Resources Committee to the Trustees.
- 2.11 The reasons for accepting a particular tender will be documented, especially if it is other than the lowest tender.
- 2.12 Once a tender is accepted by the Trustees, an order should be issued by the Principal, in case the case of building projects, the appropriately qualified consultant will also raise a JCT contract

3. Tenders for Building Works

- 3.1 For building works of a value greater than £50,000 the services of an appropriately qualified consultant will be engaged by the Principal to recommend the specifications of the works and suitability to tender.
- 3.2 The specifications must include,
 - 3.2.1. the provision by the supplier of a rectification period and insurance guarantees;
 - 3.2.2 a requirement for the supplier to comply with Health & Safety, Construction, Design and Management Regulations (CDM) and the Disclosure and Disbarring Service (DBS) which apply on a school site;
 - 3.2.3 information that, with the exception of one designated outdoor area, any use of which must be negotiated with and agreed by the Principal, the school is a non - smoking site; and that the consumption on the site of alcoholic drinks by the supplier his employees and any sub – contractor is strictly forbidden.
- 3.3 Where appropriate, the suppliers invited to tender should be drawn from an approved list or from those agreed with the appropriately qualified consultant.

Board of Trustees – Membership and Working Processes - 2022/23

TRUSTEES OF HPAT	
<p>The Chair. The Vice Chair. (Elected at the first Board Meeting each year).</p> <p>Members</p>	<p>1.1 Alan Benton (23/09/2023)</p> <p>1.2 Sophie Boyack (16/07/22)</p> <p>1.3 Dave Brown (03/02/2024)</p> <p>1.4 Claudine Crossley (08/06/2022)</p> <p>1.5 Phil Grundy (Principal)- (Nigel Armsby from Jan 2023)</p> <p>1.6 Ginette Hogan (16/07/2023)</p> <p>1.7 Richard Palmer (23/09/2023)</p> <p>1.8 Christina Proffitt (Edward) (17/03/2022)</p> <p>1.9 Tracy Penfold (18/12/2021)</p> <p>1.10 Andy Sikora (23/09/2023)</p> <p>2.1 Alan Benton</p> <p>2.2 Mike Bunyan</p> <p>2.3 Steve Carter</p> <p>2.4 Richard Hutchinson</p> <p>2.5 Paul Phillip</p> <p>2.6 Steve Riches</p>
<p>STAFF ATTENDING BOARD MEETINGS</p>	<p>The Company Secretary</p> <p>Minuting Secretary</p> <p>Other staff nominated by the Principal and approved by the Board</p>
<p>ADMINISTRATION AND ACTION MATTERS</p>	<p>The Chair and Vice Chair shall respectively be Chair of any meeting of the Board, but if not present within five minutes after the time appointed for the meeting or unwilling to chair the meeting, then the members of the Board present shall appoint one of their number to chair the meeting.</p> <p>Each member of the Board shall be entitled to one vote on any matter before the Board. Such a vote shall be determined by a simple majority of those present (whether in person or electronically). The chair of the meeting may determine whether a vote should be taken by show of hands or ballot. In case of an equality of votes the chair of the meeting shall have a second casting vote.</p> <p>Staff of the HPAT may be invited by the Board to (a) meeting(s) of the Board for the purposes of advice but shall not vote on any motion before the Board.</p>



	<p>The Quorum for a meeting of the Board shall be one quarter of the membership but never less than three Members.</p> <p>A member of the Board who is absent for three consecutive meetings of the Board without the consent of the Board shall be disqualified from membership. A meeting of the Board may be held by suitable electronic means.</p> <p>An action sheet will be produced by the Company Secretary after each meeting of the Board.</p>
WORKING PROCESSES OF BOARD MEMBERS	<p>To attend all scheduled and special Board meetings/ HPAT's AGM/ and other events as required and give apologies in advance of any meeting where attendance is not possible.</p> <p>To read Board papers in advance of any meeting and seek any additional information required from the paper's author or the Principal.</p> <p>To assess proposals and recommendations critically on the best evidence.</p> <p>To take membership of one or more Committees or Sub - Committees of the Board and give apologies in advance of any meeting where attendance is not possible.</p>

APPENDIX 2

Agenda Contents for Meetings of the Board Committees and Groups

TO BE ADDED FOLLOWING BOARD DECISIONS ON THE DELEGATION POLICY

CALENDER OF AGENDA CONTENTS