



# Elmlea Schools' Trust

## Trustees Operations Committee

### Terms of Reference

#### 2022/2023

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#### **Key Purpose**

To provide guidance and assist the decision making of the Board of Trustees, by enabling more detailed consideration to be given to the best means of fulfilling the Board of Trustees responsibility on all operational matters relating to its statutory and legal duties.

**Finance:** Lead on issues with regards to the financial management of the schools within the trust, to enable detailed consideration to be given to the best means of ensuring sound management of the trust's finances and resources, including proper planning, monitoring and probity.

**Premises, Health and Safety:** To take the lead on general matters relating to the trust estate including individual schools' buildings, grounds, health and safety, with the long term welfare of the trust staff and its pupils uppermost in its priorities.

#### **Membership**

The committee will be up to seven trustees. In addition, the CEO/Executive Headteacher as the Trust Accounting Officer will be an automatic member. The Director of Finance and Operations as the Chief Finance Officer and will attend meetings as convenor and advisor. Additional non-voting members may be co-opted as considered necessary. Staff will also be invited to attend as required.

The committee should ensure that trustees on the committee should have some relevant finance qualifications / experience.

The Operations committee will also designate a named Health and Safety Trustee.

A separate safety committee consisting of the Director of Finance and Operations, the Site Manager of each School, a staff H&S Union Representative and the Health and Safety Governor will meet on a regular basis to report into the committee. A representative from the staff of each school where there is not a Staff Trade Union Representative will also be encouraged to attend the safety committee meetings.

The committee is authorised to invite attendance at its meetings from persons to assist or advise on a particular matter or range of issues.

#### **Quorum**

The quorum for each meeting shall be three, in addition the CEO (Chief Executive Officer who is the Trusts Accounting Officer) should be in attendance. In the absence of the CEO, the Business Director (Chief Finance Officer) must be present at the meeting.

#### **Meetings**

Meetings to be at least once per seasonal term and otherwise as required. These will generally be in the two weeks prior to the Board of Trustees meetings. Notice of at least one week must be given when convening additional meetings.

#### **Terms of Reference**

The committee has the power to make its own decisions without referral to the Board of Trustees, except where the subject matter requires the Board of Trustees consideration by law, as specified in the Board of Trustees Scheme of Delegation and the Academies Financial Handbook.

The specific duties of committee shall be to:

1. Review the Annual Budget of each school in detail including the level and use of any contingency fund or balances, ensuring the compatibility of all such proposals with the development priorities set out in the relevant plan and to make recommendations to the Board.
2. Review the Three year forecast annually including the level and use of any contingency funds or balances, ensuring the compatibility of all such proposals with the development priorities set out in the relevant plan and to make recommendations to the Board.
3. Agree and record MAT Budget and annual cross charging arrangements.
4. Monitor and review expenditure on a regular basis and ensure compliance with the overall financial plan for the schools, and with the financial regulations of the DfE, drawing any matters of concern to the attention of the Board of Trustees.
5. In the event of a provisional deficit budget, consider with the Headteacher, CEO and CFO, all possible ways of reducing costs and take recommendations to the Board of Trustees for discussion/approval.
6. Review the schools within the Trust's financial statements and reports to ensure that they reflect best practice.
7. Review benchmarking data on a regular basis to inform the evaluate the performance of our budgets and contracts against external criteria.
8. Maintain oversight of all strategic financial policies and guiding principles including investments and reserves.
9. Trustees appointed to the committee will have financial knowledge and receive appropriate financial training to enable them to carry out their financial responsibilities.

#### **CONTRACTS**

10. Review annually contracts that are due for renewal for all services, ensuring best practice and procurement arrangements are followed, that contracts are best value for money and that the contract meets the individual schools' needs.

#### **PREMISES, HEALTH AND SAFETY**

To provide support and guidance for the Board of Trustees on all matters relating to the maintenance, development and safety of the Trusts estate including buildings, grounds, premises and Health and Safety including

11. Develop a Trust buildings strategy taking into account the EFA Property Condition Plan;
12. Plan and develop schemes to ensure that the buildings are developed, using capital expenditure including submitting applications for Capital Improvement Funds and other available grants as deemed appropriate;
13. Review, monitor and evaluate the individual schools' annual maintenance programmes;
14. To receive reports on professional surveys and emergency works.
15. To create a project committee where necessary to oversee any major developments
16. Monitor compliance contracts including receiving reports following compliance visits including details of any outstanding remedial work that requires action;
17. Review Fire Safety, Security and Emergency Planning arrangements including evacuation arrangements.
18. 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.
19. Schools are 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 matter will be reported to the committee at the earliest opportunity.
20. Ensure that the schools have appropriate and relevant Risk Assessments in place which are reviewed and updated on a regular basis.

#### **POLICIES**

Ensure that Trust Policies, procedures and other relevant documentation assigned to the committee is reviewed on a timely basis and updated in line with current legislation.

#### **LEVELS OF AUTHORISATION**

Annually review and approve levels of authorisation for school personnel that are detailed in the Trusts Financial Management Policy and Procedures.

**RISK MANAGEMENT**

At each meeting, review the relevant part of the risk register, adding additional risks that the school(s) face. Consider the underlying causes of the key risks and ensure that the school leadership is taking appropriate action to mitigate the risks.

**RECORDING AND REPORTING DECISIONS**

To minute clearly the reasons for all decisions and report these decisions to the next meeting of the Board of Trustees.

**CONFIDENTIALITY**

Any matter discussed in the committee may be deemed confidential until the Board of Trustees has been informed. Confidential items will be recorded and circulated in separate minutes.

**ANNUAL REVIEW OF TERMS OF REFERENCE**

In Term 6 annually, the committee should review Terms of Reference to ensure that they have met and delivered their delegated duties, to cross reference them to the current Scheme of Delegation and to update both documents as necessary.

Following annual review, the terms of reference and any recommended amendments to the Scheme of Delegation should be submitted to the Board of Trustees for ratification by Board of Trustees at the T6 meeting.

**DISPUTES**

The full governing body at its next meeting or at a specially convened meeting if necessary, will resolve any disputes within or between committees.

**Document History Record of recent Policy changes**

Date	Author/Owner	Change	Origin of Change e.g. TU request, change in legislation
Aug 2019	Clare Sanders		
Aug 2020	CS	Add requirement for trustees to have relevant financial experience	
July 2021	Hedley Rowlands	Remove GDPR to Audit and Risk Terms of Reference	
July 2022	Andrea Bizley	Add reference to reviewing Three Year Forecast as well as annual budget	

Trustees' Committee	Operations
Terms of Reference Adopted	July 2022
Review cycle	Annual
Review date	Summer Term 2023