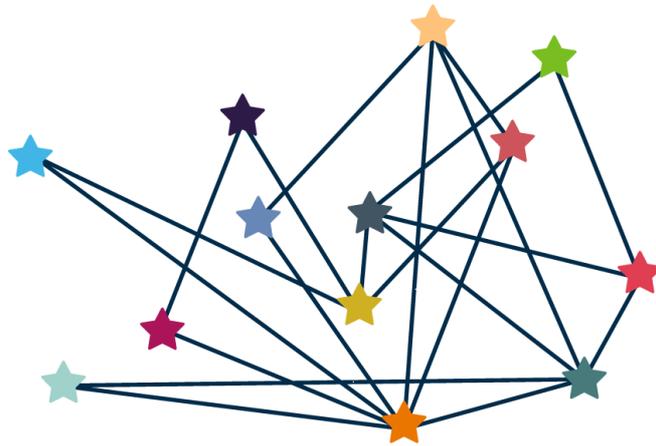


ULT Appointments, Finance and HR Policy



UTTOXETER
LEARNING TRUST
INSPIRED TEACHING
INSPIRING CHILDREN

Approved: April 2017
Due for review: Autumn 2018



Uttoxeter Learning Trust Appointments, Finance and HR Policies April 2017

Introduction (and Financial Constraints)

The agreed working principle is that, where MAT schools are being well led and well managed, Headteachers and Local Governing Bodies should be trusted to manage their own business as far as is consistent with the principles of economy, efficiency and effectiveness promoted in the Academies Financial Handbook. However, the Board, through the Accounting Officer, is responsible for ensuring that all schools within the MAT deliver balanced budgets, and that the MAT as a whole sustains its viability. NB The MAT as a whole will be responsible for any individual school deficits. As current cost pressures are particularly acute, requiring savings on average of 8-10% by 2020, we need to anticipate future financial challenges and to consider the effect of individual academy decisions on the MAT as a whole.

Staff costs account for up to 85% of overall budgets. Therefore, balancing the budget is particularly relevant to staffing and appointments. We have agreed that we should look to offer staff development and succession planning opportunities across the MAT. We have also agreed that staff should be offered opportunities to work at more than one school and that some staff may be shared between schools (as currently happens with the headships of our 2 federations). Such arrangements are good for both staff development and in terms of the efficient use of resources.

Appointments Guidelines

With the agreement of the Board and Local Governing Bodies, I would like to propose the following guidelines:

- If there is a change of staffing arrangements which will lead to an individual academy having either a vacancy or staff surplus capacity, details of the surplus/vacancy should normally be circulated to all MAT academies as soon as possible in order to explore opportunities to promote appropriate career development, the sharing of staff and any other ways of strengthening the success, efficiency and viability of the MAT as a whole.
- Where such changing arrangements are anticipated, they should be discussed in MAT Headteachers' meetings and, if possible, any new appointments should be advertised in joint advertisements (especially when using expensive national media) in order to save money.
- Other MAT academies should always be notified before (or, at the very latest, at the same time as) any external advertisement is placed, in order to explore whether an appropriate candidate is already employed by, or known to, the wider MAT.
- If an academy has a vacancy which attracts a candidate from elsewhere within the MAT, the final decision as to whether that candidate is the most suitable candidate for the appointment will be made by the academy with the vacancy.
- The MAT should try to move towards a fair and consistent pay policy based on equal pay principles and, for teachers, on the School Teachers' Pay and Conditions document published annually by the DfE. Heads should work together to develop this and agree it with governors.

- Appointment panels should be confident about their decisions and should not appoint if they have doubts. (It is better to re-advertise, to offer a temporary contract or to consider alternative ways of filling a post than to make a poor appointment.)
- At least one representative from the LGB should be involved in all interview panels for teaching posts and for senior positions in schools. An LGB can request assistance from the Trust Board in relation to a specific appointment.
- The CEO, or representative specified by the CEO, should be invited to take part in the selection process of all senior leadership team appointments. The Trust Board may request that its representative is included as part of the appointment panel for any appointment at any level within the MAT.
- The Articles of Association (specified by the DfE) state that “the Directors shall appoint the Principals of each Academy”. Although this means that the Board Trustees must have the overall responsibility for the appointment of principals, they should fully involve the LGB and seek a consensus.
- The CEO should be informed of all job opportunities so that s/he can have oversight from a MAT perspective and offer ideas and advice.
- Appointments must not lead to budget deficits, either in the current year or the year following, either for the academy or the MAT as a whole. All appointments must be able to be sustained.
- The posts of CEO and CFO should be appointed by the ULT Board of Trustees.
- Individual LGBs should have a right of appeal to the Board of Trustees over any constraint recommended by the CEO.

NB All appointments should follow the guidance in the ULT Safer Recruitment Policy.

Financial Guidelines: Roles and Responsibilities

CEO: All ULT financial guidelines should be consistent with the DfE Academies Financial Handbook (July 2016). Trustees, MAT executives, Headteachers and Chairs of LGB finance committees should refer to this handbook to check decisions, processes and procedures. The Handbook makes it clear that the CEO is the accounting officer for the MAT and has “personal responsibility to parliament and to EFA’s accounting officer for the financial resources under the trust’s control” (AFA p12). It also goes on to define its expectations in terms of “standards of probity” (p13) and fulfilling the “seven principles of public life”. The accounting officer “must have appropriate oversight of financial transactions” (p15).

CFO: The board must also appoint a Chief Financial Officer, who “should play both a technical and leadership role, including ensuring sound and appropriate financial governance and risk management arrangements are in place, preparing and monitoring budgets, and ensuring the delivery of annual accounts” (p16). The CFO will work with school business managers and finance staff to develop and manual of financial procedures. The CFO will establish an “internal control framework” (p18), including:

- Co-ordinating the planning and budgeting process
- Applying discipline in financial management, including managing banking, debt and cash flow, with appropriate segregation of duties

- Preparation of monthly budget reports
- Ensuring that delegated financial authorities are respected
- The management and oversight of assets
- The propriety and regularity of financial transactions
- Reducing the risk of fraud and theft
- Ensuring efficiency and value for money
- A process for independent checking of financial controls, systems, transactions and risks (through external auditors)

Company Directors

The MAT Trustees are also company directors of ULT, which is registered at Companies House. The Companies Act defines their duties as to:

- exercise their powers only for a proper purpose
- promote the success of the MAT
- exercise independent judgement
- exercise care and skill and
- avoid conflicts of interest

Members and Trustees Terms of Reference

Separate terms of reference have been agreed for Members and for the Board of Trustees (Directors). These are outlined in a separate document. Members hold the Board to account and meet termly. The Board meets half-termly and has two committees, finance and education, which also meet half-termly prior to the Board meeting.

Scheme of Delegation

The MAT has drafted a ULT Scheme of Delegation to show the relative responsibilities of the Board of Trustees and Local Governing Bodies. This is based on the model document produced by the National Governors' Association, adapted to be consistent with the ULT founding principles and vision.

Financial Processes

Financial Scheme of Delegation

The MAT has drafted the ULT Financial Scheme of Delegation to show who is responsible for what. It covers finance, assets, personnel and payroll, strategic planning, educational performance, policies and data, and risk management. The SoD breaks down these areas of responsibility and matches them against Members, Trustees, MAT executives, Local Governing Bodies (LGBs) and academy Heads and staff. It also shows spending authorisation limits for different budget holders.

Budget Setting Process

LGBs will set their own budgets annually and must ensure that these are balanced. Where an academy has to utilise its carry-forward to set a balanced budget, it must have a plan to show that it is moving towards an in-year balanced budget before the carry-forward runs out. The Board of Trustees, through its Finance Committee, must approve LGB budgets on this basis (AFA p16) so that it can submit a budget forecast to the Education Funding Agency in compliance with their funding agreement (p17).

The Board, through its Finance Committee, must “receive and consider information on financial performance (from individual academies) at least 3 times a year, and take appropriate action to ensure ongoing viability” (p17).

MAT Central Budget

A ULT charging policy has been agreed (see separate MAT Charging Policy). This sets out the principles of creating the MAT central budget and outlines what it should be spent on. NB This should be reviewed continually to check that all spending is necessary, especially over the first year of the MAT as it is developing and especially because of the current cost pressures on budgets. As far as possible, the use of the central budget should reduce MAT costs, not increase them.

It should also, when possible, look to create an investment plan and budget to fund educational, resource and capital projects. This plan should be based on the ULT investment policy “to manage, control and track their financial exposure, and to ensure value for money” (AFH p17).

Budget Management

All transactions will be processed and reconciled by the MAT finance staff, overseen by the CFO, to ensure the timely checking and production of the monthly management accounts and governors’ finance committee reports.

Audits

The MAT must appoint an external auditor (AFH p37) to audit accounts and review the accounting officer’s annual statement to assure Trustees that the money is being spent for the purposes intended by Parliament (regularity).

Risk Management

ULT risk policies, strategies and registers have been agreed in order to recognise and manage present and future risks.

HR and Policies

ULT Policies

All policies developed by Staffordshire County Council (and agreed by the Joint Consultative Committee of professional association representatives) have been transferred to the MAT as part of the TUPE process and should continue to be utilised. However, some policies need to be revised because they require a ULT perspective. These include HR policies such as staff appointments, staff discipline and grievance and parental complaints. As other policies are renewed, they will become common ULT policies and will be consulted on with professional associations in termly meetings.

Staff Discipline Policy

This follows the SCC agreed policy and keeps the responsibility for disciplinary processes at the level of the individual academy. However, where the focus for the disciplinary action is an academy Headteacher or the CEO or CFO, or a someone employed centrally by the ULT, Trustees will be responsible for the process, including appeals (following the same policy).

Grievance Policy: The same is true of grievances against Headteachers or Governors.

Pay Policies

Academies will continue with their existing pay policies until a common one is agreed. Remuneration of teachers should be based on the School Teachers' Remuneration and Pay Guidelines (STRP) which are published annually. This includes setting senior staff and Headteachers' pay ranges. Appeals against Headteachers' pay will be heard by Trustees.

These guidelines will be reviewed by Autumn 2018.