



Role of a Trustee

The Circle Trust is a Multi-Academy Trust (MAT). Like all MATs this Trust is governed by Trustees. The Trustees are accountable for the operation and performance of the Trust as a whole and ultimately all schools in the Trust.

The Board of Trustees

The Board of Trustees is responsible for:

1. setting the direction of the Trust
2. holding the Executive Headteacher to account
3. ensuring financial probity and compliance with charity law requirements ¹

The Trust will have a maximum of 15 trustees, and at least 8. Trustees are supported and their decisions overseen by Members. Members are akin to the shareholders of a company and play a very important role in overseeing governance arrangements; however, they will typically be less directly involved in the running of it and will most likely meet less frequently. The Members have three main functions:²

1. Ultimate control over the academy trust, with the ability to appoint and remove trustees
2. The right to amend the trust's articles of association.
3. Responsibility for the trust achieving its charitable objectives (including financial.)

The Circle Trust operates on the basis of maximum delegation. A core value of the Trust is that that schools should be run by, and their improvement driven by, their staff led by their Leadership Team and Local Advisory Board (LAB). The school's leadership team and LAB have responsibility for the school's educational and financial oversight and developing their school's individual character. However, Trustees retains legal accountability for the operation and performance of all academies in the MAT and for any decisions taken therefore are under delegated authority. As such Trustees retain the authority to direct LABs when required for the Trust to fulfill their statutory responsibilities. Statutory responsibilities include educational and financial performance of the Trust's schools, or to tackle identified under-performance.

Trustees set:

- The vision, ethos and strategic direction of the Trust as a whole, ensuring equal treatment of all schools in the MAT
- Agree the budget of the Trust as a whole, ratifying the annual budget of each school and agreeing and reviewing the percentage of budgetary contribution for all schools in the MAT

¹ Information correct as of April 2014. Governance in Multi-Academy Trusts

² 4.2.1- Information correct as of November 2015. Refer to Governor handbook

- agree Trust policies and procedures, to ensure that the Trust fulfills its statutory responsibilities, including compliance with company and charity law and with the trust's funding agreement with the Secretary of State; and overseeing the operation and performance of central MAT services;
- and for holding the Executive Headteacher to account for the performance of the MAT as a whole.
- The Trustees will also agree and review the schemes of delegation to the Executive Headteacher Headteachers and Local Advisory Board (LAB).

Trustees are also comply with their statutory duties as company directors, which are set out in sections 170 to 177 of the Companies Act 2006. In practical terms, all Trustees need to be familiar with their academy's articles of association as well as their statutory duties under the Companies Act, which comprise the duties to:

- act within their powers;
- promote the success of the company;
- exercise independent judgment;
- exercise reasonable care, skill and diligence;
- avoid conflicts of interest;
- not to accept benefits from third parties; and
- declare any interest in proposed transactions or arrangements.

In essence the main role of a Trustee is to provide the strategic direction for the Trust, to hold the Executive Headteacher to account and to ensure that public money is spent appropriately.

To serve as a Trustee there are no specific prerequisite skills – we are seek Trustees from all walks of life and backgrounds that reflect the diversity of the population in schools. The most valuable attribute in Trustees is a passion for the work and values of The Circle Trust and a desire to maximise the Trust's effectiveness. Whilst most of our meetings are in the evenings, we are able to hold meetings occasionally during the day dependent on availability.

If you would like to be considered as a Trustee we ask you to complete a nomination form and skills questionnaire (as attached) which can include a short personal statement. It is useful for other Trustees to know a bit about you – as a potential Trustee what you do, why you would like to be a Trustee and what experience or skills you have that are relevant to the role. Trustees are not appointed to represent a specific school in the Trust indeed, it is important that they treat all school fairly and equally. Therefore, selection of Trustees is determined via a skills audit to ensure that the Trustees have sufficient experience and skills in key areas such as finance, legal, H.R. and education.

Newly appointed Trustees are expected to attend induction and safeguarding training. As a school committed to the safety and well-being of young people we expect Trustees to be DBS (formally Criminal Records Bureau) checked to ensure their suitability for volunteering in a school environment. We also ask all new Trustees to sign up to our Code of Practice and declare any business interests that may affect the Trust.

The Full Trustee Board meets for formal business once a term. Trustees are also expected to serve on a committee which also meet once a term – our committees include: Finance and Audit, H.R., Core Offer and School Improvement meetings are usually held on weekday evenings – mostly starting at 19.00.

Trustees are also asked, where practical, to attend a Trust half day in school once a year (on a cycle of all schools in the Trust) – an opportunity for us to observe the realities of school life!

As a Trustee gains experience, he/she should expect to take on some additional responsibility either in the form of chairing a committee or responsibility for a specific area (examples are Health and Safety, Safeguarding, Pupil Premium or Special Educational Needs).

If you want to know more before deciding whether to stand the Chair of the Trustees, Andrew Beckett, would be happy to talk to you. Drop him an email (Chairoftrustees@thecircletrust.co.uk) with a contact number and Andrew or another Trustee will give you a call.

If you would like to find out more about The Circle Trust, you can look at the following website thecircletrust.co.uk

Andrew Beckett – Chair of the Trustees



General Criteria for disqualification:

- Failure to attend meetings of the Trustees for a continuous period of 6 months beginning with the date of the first meeting missed, without the consent of the Full Trustee Board
- Are the subject of a bankruptcy restriction order or an interim order, debt relief restrictions order, an interim debt relief restrictions order or their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced
- Is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986, a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989, a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002, or an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order)
- Has been removed from the office of charity trustee or trustee for a charity by the Charity Commission or Commissioners or High Court on grounds of any misconduct or mismanagement, or under section 34 of the Charities and Trustee Investment (Scotland) Act 2005 from being concerned in the management or control of any body
- Is included in the list of teachers or workers considered by the Secretary of State as unsuitable to work with children or young people
- Has been barred from any regulated activity relating to children/ is subject to a direction of the Secretary of State under section 128 of the Education and Skills Act 2008
- Is disqualified from working with children or from registering for child-minding or providing day care
- Is disqualified from being an independent school proprietor, teacher or employee by the Secretary of State
- Has been sentenced to three months or more in prison (without the option of a fine) in the five years before becoming a Trustee or since becoming a Trustee
- Has received a prison sentence of two years or more in the 20 years before becoming a Trustee
- Has at any time received a prison sentence of five years or more
- Has been fined for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor
- Refuses a request by the clerk to make an application to the Disclosure and Barring Service (DBS) for a criminal records certificate.

Trustee

A person shall be disqualified for appointment or election as a Trustee if he/she is:

- a) An employee of The Circle Trust with the exception of the Executive Headteacher