NORTHERN STAR ACADEMIES TRUST
SCHEME OF DELEGATION 2020/21

CONTENTS

Scheme of Delegation 2020/21
Adopted by NSAT Board of Trustees: 24 April 2020
Amendment approved by NSAT Board of Trustees 4 September 2020 (Audit and Finance Committee)
Next Review Date: April 2021

The Purpose of our Scheme of Delegation

This scheme of delegation has been developed to:
- Ensure clarity about the responsibilities and powers of Members, Trustees, the CEO and Executive team members, Headteachers and Local Governing Bodies (LGBs) in respect of key aspects of the leadership and management of the Trust and its Academies and to ensure compliance with legal and statutory requirements.
- Ensure NSAT operates in a manner that is fit for purpose for a Multi-Academy Trust
- To support the delivery of ethical goverance
- To prevent confusion that may lead to a loss of trust with stakeholders

It sits alongside the Trust's Financial Policies and Procedures manual, which explicitly covers all financial delegations and the suite of policies and procedures through which the Trust operates, to further define individual and collective roles and responsibilities.

As the Trust matures, both in terms of governance and operational leadership, the scheme of delegation is likely to change. This recognises the need to be responsive to the evolving context and circumstances of Northern Star Academies Trust (NSAT) and ensures that NSAT continues to best meet the needs of its academies and students. Thus, this scheme of delegation is intended to be a working document that will be reviewed by Trustees annually. In line with our values, it is vital that this scheme of delegation defines lines of responsibility and accountability within NSAT**.**

Functions of Governance

There are **three core functions of effective governance**:
1. Ensuring clarity of vision, ethos and strategic direction.
2. Holding the executive to account for the educational performance of the Trust, its pupils and the performance management of staff.
3. Overseeing the financial performance of the Trust and making sure its money is well spent.

The eight elements that will enable delivery of effective governance are:
- The right people around the table
- Understanding their role and responsibilities
- Strong chairing
- Professional clerking
- Positive relationships based on trust
- Knowing our academies and enabling access to all relevant data
- Commitment to asking challenging questions
- Confidence to have courageous conversations in the interests of children and young people

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Governance Structure

NSAT is a Multi-Academy Trust (MAT). The MAT is a charitable company and is responsible for the strategic direction of the Trust. It has three layers of governance: Members, Board of Trustees, Local Governing Bodies (LGBs). The Chief Executive Officer (CEO), Executive Team and Headteachers/Heads of Academy are held to account through this governance structure.

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                          ┌─────────────┐
                          │   Members   │
                          └──────┬──────┘
              ┌──────────────────┴──────────────────┐
┌──────────────────┐   ┌──────────────┐   ┌──────────────────┐
│    Governance    │   │   Board of   │   │   CEO/Executive  │
│    Professional/ │───│   Trustees   │───│       Team       │
│  Company         │   │              │   │                  │
│  Secretary       │   └──────┬───────┘   └─────────┬────────┘
└──────────────────┘          │                     │
              ┌───────────────┴───────┐   ┌──────────────────┐
    ┌──────────────┐   ┌──────────────┐   │      Local       │
    │   Audit and  │   │ Education and│   │    Governing     │
    │    Finance   │   │  Standards   │   │  Bodies (LGBs)   │
    │   Committee  │   │  Committee   │   └─────────┬────────┘
    └──────────────┘   └──────────────┘             │
                                          ┌──────────────────┐
                                          │     Heads of     │
                                          │     Academy      │
                                          └──────────────────┘
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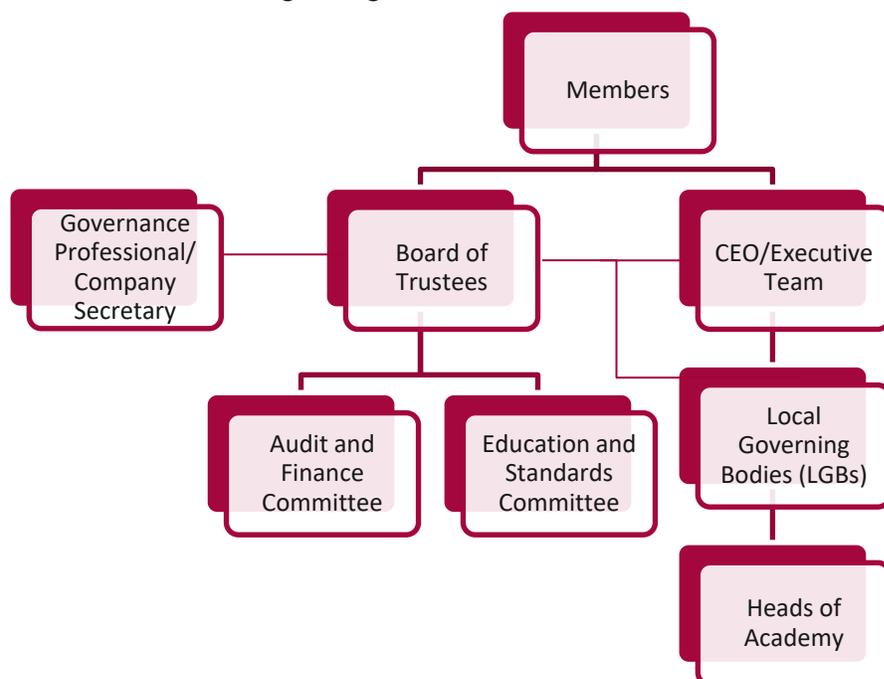
In a Multi Academy Trust (MAT) there is one legal entity accountable for all the academies (schools) in the Trust. This means that the MAT has one set of **articles of association**: this governs all the academies in the Trust. The MAT also has a **Master Funding Agreement** with the Secretary of State for Education. In addition, each individual academy has a Supplemental Funding Agreement. In a MAT, the Trust Board is accountable for all the major decisions about its academies. This does not mean that the Board will make every decision within the Trust - it will delegate some governance and decision-making responsibilities to:

- The CEO and Executive team
- Headteachers (Heads of Academy)
- Trust Board Committees
- Local Governing Bodies (LGBs)

Note on terminology: Trustees are both charity Trustees (within charity law) and Company Directors (within company law). To avoid confusion with any executive roles across the Trust that include the title 'Director' but are not held by Company Directors, NSAT refers to 'Trustees' in relation to its governance structure.

Key Roles

The key roles for each layer of governance are summarised below. In addition, Members, Trustees and LGBs (including any associated committees) must review and adopt Terms of Reference (ToRs) specific to their remit, and which reflect the Terms of Office, required constitution and quorum for each.

Members

The Members are guardians of the governance of the Trust. The Members appoint Trustees to ensure that the Trust's charitable objects are carried out. Thus, Members are able to remove Trustees if they fail to fulfil their responsibility. Members appoint the Trust's external auditors and receive the audited annual accounts. The Trust must have at least three Members.

Board of Trustees

The Trustees have responsibility for **the three functions of effective governance** across the Trust. They are responsible for the general control and management of the administration of the Trust, and in accordance with the provisions set out in the Memorandum and Articles of Association and its Funding Agreement, it is legally bound. The Trust Board is permitted to exercise all the powers of the Trust. There must be at least three Trustees, but the number of Trustees shall not be subject to any maximum. The rules for Trustees, including Terms of Office, are set out in the separate *NSAT Governance Handbook for Trustees*.

Chair of Trustees

The Chair of Trustees should be elected annually by the Board of Trustees. The Chair must not be an employee of the MAT. The Chair or, in the absence of the Chair, the Vice Chair, has the power to carry out the functions of the Trust Board in extreme circumstances where a delay in exercising a function is likely to be seriously detrimental to the interests of the Trust, a student or their parents/carers, or an employee. However, this power does not include matters relating to the alteration or closure of an academy, a change of school category/significant change, approval of budget, discipline policies and admissions.

### Trust Board Committees

NSAT has two Trust Board Committees:

- Audit and Finance Committee
- Education and Standards Committee

The constitution and membership of each and any Trust Board Committee must be reviewed every 12 months by Trustees, alongside the approval of associated ToRs. Each committee shall have a minimum of three members. Trust Board Committees are not legally responsible or accountable for statutory functions – the Trust Board retains overall accountability and responsibility for NSAT governance.

Chief Executive Officer (CEO) and Executive Team

The CEO has overall responsibility for the delivery of the vision and strategy of the MAT. The Board of Trustees will hold the CEO to account for the performance of NSAT, including the performance of the academies within NSAT. The CEO will delegate executive management functions to the NSAT Executive
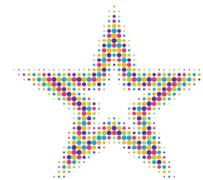
Team and is accountable to the Trust Board for the performance of that team. The CEO is also the MAT's accounting officer, so has overall responsibility for the operation of NSAT's financial responsibilities. The CEO must ensure that the organisation is run with financial effectiveness and stability, avoiding waste and securing value for money.

Headteacher/Head of Academy

Heads of Academy are responsible for the day-to-day management of individual academies. They are managed by the CEO and report to the LGB on matters delegated to the LGB. In the absence or incapacity of the Headteacher/Head of Academy, the delegations to the Headteacher stand delegated to the Deputy Headteacher unless otherwise directed or agreed by the Trust Board.

Local Governing Bodies (LGBs)

Trustees will establish a Local Governing Body (LGB) for each NSAT academy, and the composition of each LGB is at the discretion of Trustees. The LGB's role is to provide scrutiny and support on behalf of NSAT in the running of the individual academy. Unless otherwise directed by Trustees, the LGB will comprise a maximum of nine governors, including:

- Up to nine governors appointed by Trustees
- Two staff representatives additional to the Headteacher (comprising one member of teaching staff, and one member of associate staff), appointed by staff election or by Trustees in the event of no interested parties coming forward during an election
- Two parents/carers of pupils in the school, appointed by parent election or by Trustees in the event of no interested parties coming forward during an election

The number of governors on any one Local Governing Body who are employed by, or otherwise receiving any direct or indirect financial benefit from NSAT, must not exceed one third of the total number of persons on the LGB. In the case of a sponsored academy the majority of governors will be appointed by NSAT. Trustees can appoint associate governors onto any LGB at any time, including for a fixed period to add capacity in relation to a specific need.

The rules for LGBs, including Terms of Office, are set out in the separate *NSAT Governance Handbook for Local Governing Bodies*. This scheme of delegation sets out the powers that LGBs may exercise on behalf of the Trustees.

Intervention Boards

In exceptional circumstances, and to secure rapid improvement, the Trust Board reserves the right to remove any delegated authority from a Local Governing Body and instate for a time-limited period (usually no more than 12 months) a local Intervention Board. Terms of Reference for NSAT Intervention Boards are included within the *NSAT Governance Handbook for Trustees.*

Delegation of Responsibilities

The following matrix sets out each responsibility as delegated by Trustees. Delegations cannot be exercised other than by the designated board or individuals unless otherwise directed or agreed by the Trust Board. Instead of exercising their delegated powers, a post holder or a committee may refer the matter to the appropriate committee or LGB. For the avoidance of doubt, the Trust Board may, at its discretion, exercise any of the powers delegated by this scheme to a committee or post holder.

KEY:

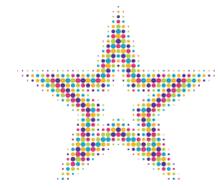| Approves	A	Provides final authorisation.
Recommends	R	Proposes (e.g. a policy or procedure) for approval.
Implements	I	Puts in place the necessary actions across the Trust, or within individual academies, following approval.
Develops	D	Supports, and/or is consulted during, the development of items for approval.
Monitors	M	Reviews actions taken, and the impact of these, in achieving the vision, objectives and statutory requirements of the Trust.

KEY: A – Approves; R – Recommends; I – Implements; D – Develops; M – Monitors

Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
GOVERNANCE FRAMEWORK						
Appointments and removals	Members	A	R			
	Trustees	A	A/R			
	Trust committee members (including chairs)		A/I			
	Governors (including LGB chairs)		A		R	I
	Clerk to Trustees		A/I	R		
	Clerk to governors			M	A/M	
	Company Secretary		A	I		

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KEY: A – Approves; R – Recommends; I – Implements; D – Develops; M – Monitors

Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
GOVERNANCE FRAMEWORK						
Systems and structures	Review and agree articles of association (including changes)	A	R/M/I	D/I/M	I	
	Review and agree scheme of delegation (annually, including governance structure)		A/M/I	D/R/I/M	I	
	Review and adopt Terms of Reference for Trust Board and committees (annual)		A/M/I	D/R/M	I	
	Instate time-limited Intervention Boards in individual academies where required		A/M	I		I
	Review and adopt Terms of Reference for LGBs (annual)		A	D/R/M	I/M	
	Complete skills audit and address required training or recruitment needs identified		I	M	I	
	Complete self-evaluation of Trust Board/committee performance (annual)		I	M		

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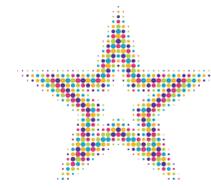
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Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
	GOVERNANCE FRAMEWORK					
Systems and structures (cont.)	Complete self-evaluation of LGB performance			M	I	
	Complete 360 review of Chair's performance (including succession planning)		I	M	I	
	Review and agree annual calendar of business for Trust Board		A/I	D/R/M		
	Review and agree NSAT calendar of business for LGBs		A	D/R/M	I	
	Agree Trustee monitoring processes and roles (including safeguarding)		A/I	M		
	Agree LGB monitoring processes and roles (including safeguarding)		M	M/R	A/I	
	Establish and adopt governance Code of Conduct	I	A/I	D/R/M	I	I

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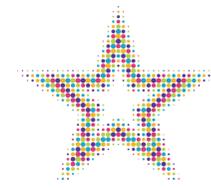
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Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
	GOVERNANCE FRAMEWORK					
Compliance and reporting	Ensure accurate NSAT governance details on Trust and academies' websites in compliance with statutory requirements		A/M	I		I
	Ensure accurate academy governance details on academies' websites in compliance with statutory requirements			M	M	A/I
	Publish and maintain register of all interests, business, pecuniary, loyalty, for Members/Trustees/governors		A	D/I	A	
	Review register of interests to ensure compliance and to identify any declarations pertinent to specific areas of business		M	I		
	Publish and submit report and accounts including statement on regularity, propriety and compliance (incorporating governance statement)	M	A/M	D/R	M	

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Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
GOVERNANCE FRAMEWORK						
Compliance and reporting (cont.)	Publish on academies' website, annual report of work of LGB, and submit to Trustees		M	M	I	M
Policies	Develop and approve Trust-wide policies which reflect the Trust's ethos and values (including finance, HR policies and Trust-wide safeguarding statement)		A/I	D/R/I	M/I	I
	Develop and approve academy level policies, in particular: safeguarding; curriculum; teaching, learning and assessment; pastoral policies			M	A/M	D/R/I
	Adherence to agreed policies (including finance and HR policies, and safeguarding statement)	I	I/M	I/M	I/M	I/M

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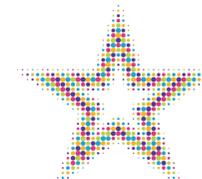
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Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
	STRATEGY AND GROWTH					
Vision and development	Determine Trust's long-term strategy vision, mission and aims, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured		A/D/M	D/I/R		
	Determine academies' long-term strategy vision, mission and aims, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured		M	M	D/A	D/I/R
	Establish and monitor Trust growth plan		A	D/R		
	Approve admission of new schools to the Trust	M	A	R		

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KEY: A – Approves; R – Recommends; I – Implements; D – Develops; M – Monitors

Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
STRATEGY AND GROWTH						
Priorities and provision	Agree reporting arrangements for, and monitor progress against, key Trust priorities		A/M	D/I/R		
	Agree reporting arrangements for, and monitor progress against, academy priorities (including Academy Development Plans and School Evaluation Forms)			M	A	D/I/R
	Review Pupil Premium and Sports Premium strategies and impact			M	A/M	D/I
	Agree applications for significant change in provision (temporary or permanent)		A	R		
	Agree admissions arrangements, including any increase in PAN		A	R	M	I

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Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
QUALITY OF EDUCATIONAL PROVISION						
Curriculum and Standards	Establish and monitor the curriculum intent of each academy		M	D/M	A/M	D/R/I
	Review the implementation and impact of an academy's curriculum and its intent		A/M	M	M	D/I
	Set challenging student progress targets		A/M	R	M	D/I
	Monitor student progress against targets		A/M	R	M	D/I
	Evaluate academy's impact on student progress against targets		A/M	M	M	D/R/I
	Agree curriculum policy in line with regulatory and statutory requirements		A/M	R	M	D/I
	Promote British Values and balanced political views to avoid radicalisation and extremism		A/M	M	M	D/I
	Approve high risk and residential trips/visits		M		A	

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KEY: A – Approves; R – Recommends; I – Implements; D – Develops; M – Monitors

Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
	QUALITY OF EDUCATIONAL PROVISION					
Behaviour	Establish and keep under review academy behaviour system		A/M		I	A
	Monitor impact of academy behaviour system		A/M	M	I	A
	Monitor attendance		A/M	M	M	A
	Establish a disciplinary policy		A/M	M	A	R
	Permanently exclude a student (or exclude for a cumulative period in one term of over 15 days)		M	M	A	A/R
	Exclude a student for a fixed-term period less than 15 days in one term		M	M	M	A
	Direct reinstatement of a student			M	A	

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Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
QUALITY OF EDUCATIONAL PROVISION						
Community	Set times of school day and term dates		M	M	A/M	R
	Consider changes to the category or admissions status of academies		A/M	A	M	
	Ensure the school contributes to community cohesion		M		M	D/I
	Offer extended academy/community lettings provision and manage such provision		M		M	D/I
Safeguarding	Undertake Safeguarding audits		A/M	I	I/M	D/I
	Ensure actions from safeguarding audits are completed		A/M	A	M	D/I
	Ensure the Trust-wide safeguarding statement is reflected in academy policies and practice		M	M	M	M
	Report safeguarding and child protection concerns		M	M	M	D/I

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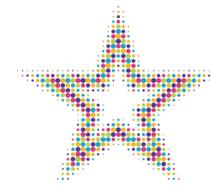
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Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
FINANCIAL PROBITY						
Appointments and removals	Appoint external auditors	A				
	Appoint internal auditors		A	R		
	Appoint the Chief Financial Officer (CFO)		A	R		
Audit	Set out Internal audit control framework, scrutiny and policy		A/M	R/D	M	I
	Receive and respond to external auditors' report		A/R/M	D/I		
	Receive and respond to internal auditors' reports		A/R/M	D/I		

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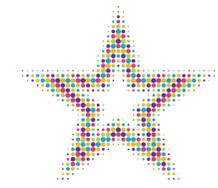
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Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
FINANCIAL PROBITY						
Funding Model and Budget	Responsibility for Trust remaining a going concern, including adherence to master and supplementary funding agreement (as per statutory guidance and regulations)		A/M	R/I		
	Responsibility for cashflow management, reserves management, capital investment and intercompany loans between entities		A/M	D/R/I		
	Set a consolidated Budget and 3 Year Financial Plan to support delivery of Trust priorities		A/M	R/M		
	Set an annual budget for each entity that sets priorities and financial targets (including benchmarking and value for money)		A/M	D/R	M	I/D/R
	Submit statutory accounting returns including accounts, budget forecast, pensions, payroll, as required by DfE/ESFA		A/M	D/R/I		
	Establish and review MAT surcharge		A/M	I		

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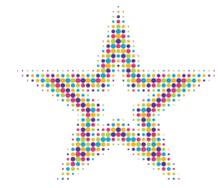
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Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
	FINANCIAL PROBITY					
Funding Model and Budget (cont.)	Review and approve unbudgeted expenditure - capital or revenue		A/M	M		R
	Monitor the performance of annual Trust budget (including benchmarking and value for money)		A/M	I/R		
	Manage cashflow and reserves for the Trust and individual academies		A/M	I/R		
	Manage Trust Capital Investment Plan		A/M	I/R	M	I
	Establish a clear and transparent process for academies to apply for School Condition Allocations and other capital funding		A/I/M	D/R		

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Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
	FINANCIAL PROBITY					
Risk and Controls	Establish and monitor Trust strategic risk register, including prior to implementation of any new strategy at Trust level		A/M	I/R		
	Establish and monitor academies' risk registers, including prior to implementation of any new strategy at local level			M	A	R/I
	Establish and monitor financial risk register		A/M	I/R		
	Uphold the integrity of financial controls within the Trust and individual academies, including investigating and responding to financial irregularities		A/M	I/R/M	M	I
	Ensure all corporate insurances are in place		A/M	I/R		

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Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
FINANCIAL PROBITY						
Transactions	Register and review all related party transactions		A/M	I/M	M	M
	Approval of expenditure within budget and authorities			M/A	M	A
	Approval of expenditure outside budget (subject to authorisation and delegated limits)		A/M	A/M		
	Develop and implement an estates strategy alongside the Trust Capital Investment Plan		A/M	D/I		
Estates, Premises and Assets	Ensure strategic asset management and compliance (e.g. acquiring and disposing of Trust Land, changing use of assets)		A	R		
	Ensure all operational estate plans (i.e. statutory inspections, risk assessments, testing, and health and safety policies and procedures) are implemented		M	M	A/M	I

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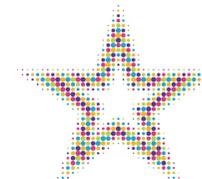
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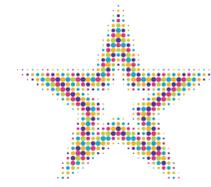
Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
HR AND OPERATIONS						
Appointments and dismissals	The CEO		A			
	NSAT Exec Team		A	R		
	Academy Headteachers/Executive Headteachers		A	R	R	
	Deputy Headteacher / AHT / Business Manage			A	R	R
	Academy teachers (permanent posts)				A	R
	Other academy staff				M	A

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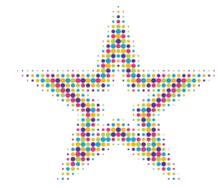
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Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
	HR AND OPERATIONS					
Performance Management (including target setting)	Chief Executive Officer (CEO)		A			
	Academy Headteachers		M	A	R	
	Academy staff (associate and teaching)				A/M	R/I
	Executive Team (except CEO and governance professional)			A		
	Governance professional		A			
	Monitor and agree staff appraisal system, pay progression and changes to pay scales		A	R	I	D/I
	Appoint External Advisors for CEO Appraisal		A			
	Appoint External Advisors for Headteacher Appraisal			A		

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Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
HR AND OPERATIONS						
Personnel	Determine Trust employment Terms and Conditions (including contracts of employment) and HR policies		A	R/M		I
	Determine the organisational structure of the academy			A	M	R
	Approve non-contractual payments or arrangements e.g. severance or settlements, early retirements or significant changes in policy		A	A	I	R
	Ensure statutory training is completed by all staff, including safeguarding		M	A	M	A
	Ensure all statutory safeguarding checks are satisfactorily completed, including Enhanced DBS checks and completion of Single Central Record			I	M	I/M

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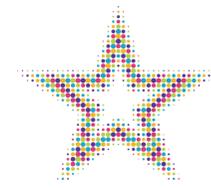
Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
HR AND OPERATIONS						
Procurement	Establish framework for procurement and efficiency savings		A	D/I		I
	Maintain contract schedule (Trust and academy level)		M	R	M	I
Central Services	Monitor effectiveness of central Trust services		A/M	R	M	
Information Management	Establish communications strategy		A	D/I	M	D/I
	Consultation and engagement with stakeholders, including parents/carers			D/I	M	D/I
	Establish information Framework		A	D/I	M	D/I
	Implement General Data Protection Regulations (GDPR) and Procedures		M	A/D/I/R		I

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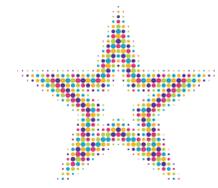
Area	Decision	Members	Trustees*	CEO / Exec Team	LGB	Headteacher
	HR AND OPERATIONS					
Information Management (cont.)	Ensure website compliance (Trust and academies)		A	A/D/I/R		I
	Ensure practices remain compliant and reflect Trust-wide information management policies		M	M	M	I
	Implementation of Freedom of Information (FOI) Policy and Procedures		A	A/D/I/R		I

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