

Trustee Board

Trustees of an academy trust are both trustees of the charity and directors of the Company limited by guarantee.

The Charities Act 2011 defines charity trustees as the people responsible under the charity's governing document for controlling the administration and management of the charity, regardless of what they are called.

They are known collectively as the Trustee Board.

Legal duties of a trustee

Under charity law, trustees have the ultimate responsibility for directing the affairs of the Trust, and ensuring that it is solvent, well run and delivering the charitable outcomes for which it has been set up.

In law, trustees of Multi-academy Trusts have several legal duties, which are often described as those of compliance, care and prudence.

Duty of compliance – trustees must:

- ensure that the Trust complies with charity law, and with the requirements of the Education Funding Agency as regulator; in particular ensure that the charity prepares reports on what it has achieved and annual returns and accounts as required by law.
- ensure that the Trust does not breach any of the requirements or rules set out in its governing document, funding agreement or the Academies Financial Handbook and that it remains true to the charitable purpose and objects set out there.
- comply with the requirements of other legislation and other regulators which govern the activities of the Trust.
- act with integrity, and avoid putting themselves in a position where their duty to the charity conflicts with their personal interests or loyalty to any other person or body.

Duty of care – trustees must:

- use reasonable care and skill in their work as trustees, using their personal skills, knowledge and experience as needed to ensure that the Trust is well run and efficient.
- consider getting external professional advice on all matters where there may be material risk to the Trust, or where the trustees may be in breach of their duties.

Duty of prudence – trustees must:

- ensure that the Trust is, and will remain, solvent.
- use the Trust's funds and assets reasonably and responsibly and only in furtherance of its charitable objects.
- avoid undertaking activities that might place the Trust's endowment, funds, assets or reputation at undue risk.
- take special care when investing the Trust's funds, or borrowing funds for the Trust to use.

Specific duties of trustees of Tandridge Learning Trust

To contribute to the work of the Trust Board in ensuring high standards of achievement for all children and young people across the trust.

Strategic direction

Trustees must ensure that the Trust has a clear vision, mission and strategic direction that will enable the Trust to fulfil its charitable objects and is focused on achieving these.

Trustees must work in partnership with the CEO and other senior staff to ensure that:

- the Trust has a clear vision, set of values and strategy, and that there is a common understanding of these by trustees, members, staff and those sitting on Trust committees.
- operational plans and budgets support the vision and strategy.
- the responsibilities delegated to the chief executive are clearly expressed in the scheme of delegation and understood, and directions given to her/ him come from the board as a whole or other properly authorised route.
- the board regularly reviews the Trust's governance structure and its own performance, to an agreed programme.
- major decisions and policies are made by the trustees acting collectively.
- the board has within its membership the skills it requires to govern the Trust well.
- the board has access to, and considers, relevant external professional advice and expertise.
- there is a systematic, open and fair procedure for recruitment of trustees and of the chief executive.
- all members of the board receive appropriate induction on their appointment and that they continue to receive appropriate advice, information and training (both individual and collectively).
- trustees have a code of conduct and comply with it, and that there are mechanisms for the removal of trustees who do not abide by the trustee code of conduct.

Person specification for the role of trustee of a MAT

Knowledge/experience

Specific professional knowledge and experience in at least one of the following:

- charity law and governance
- trusteeship or management of a complex organisation with multiple sites/subsidiaries
- financial expertise
- extensive expertise of school education in England
- data analysis and/or research expertise
- the management of change
- monitoring and evaluating performance in the commercial and/or not for profit sectors
- recruitment and human resources expertise, including employment legislation
- business development experience/expertise
- risk management experience/expertise
- property and estate management
- marketing, media and PR

Other requirements

- Willingness to attend meetings of the board and other meetings as required – there will usually be six meetings of the full Trust board per year and also committee meetings. These will be usually held in Warlingham School.
- Willingness to undertake training and participate in evaluation of the board's work.
- The MAT Trust board has a code of conduct underpinned by the seven principles of public life as identified by the Nolan Committee: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

The Trust board considers the essential skills and attributes for membership of the board to be:

Personal qualities

- commitment to the ethos and values of the Tandridge Learning Trust
- commitment to the education and welfare of children and young people
- commitment to equal opportunities and the promotion of diversity
- independence of thought and sound judgment
- ability to work as part of a team
- commitment to seeking and taking account of the views of stakeholders (e.g. parents and pupils)
- respect for the work and views of other trustees and staff
- willingness to devote time, enthusiasm and effort to the duties and responsibilities of a trustee
- willingness to make and stand by collective decisions, even if s/he offered an alternative view during discussions

Aptitude and skills

- understanding and acceptance of the legal duties, responsibilities and liabilities of trusteeship
- ability to challenge current thinking, the method of governance and management of Trust
- ability to evaluate and interpret management information and other data/evidence
- ability to play a strategic role to successfully effect change and meet the objectives of the Trust
- eagerness to reflect and learn