
THE FIRS LOWER SCHOOL
(A company limited by guarantee)

TRUSTEES' REPORT
FOR THE YEAR ENDED 31 AUGUST 2019

The Trustees present their annual report together with the financial statements and auditor's report of the charitable company for the year 1 September 2018 to 31 August 2019. The annual report serves the purposes of both a Trustees' report and a directors' report under company law.

The Trust operates an Academy for pupils ages 2-9 serving a catchment area to the west and south of Amptill. It has a pupil capacity of 326 and had a roll of 305 in the school census of October 2019.

Structure, governance and management

a. Constitution

The Academy is a charitable company limited by guarantee and an exempt charity.

The charitable company's Memorandum of Association is the primary governing document of the Academy Trust.

The Trustees of The Firs Lower School are also the directors of the charitable company for the purposes of company law. The Trustees are also known as Governors of the Academy.

The charitable company is known as The Firs Lower School.

The initial Members of the Academy Trust were the subscribers to the Memorandum of Association (and such Members are also Governors). All subsequent Governors are also Members of the Academy Trust under the terms of the Articles of Association. Details of the Trustees who served during the year, and to the date these accounts are approved are included in the Reference and administrative details on page 1.

b. Members' liability

Each member of the charitable company undertakes to contribute to the assets of the charitable company in the event of it being wound up while they are a member, or within one year after they cease to be a member, such amount as may be required, not exceeding £10, for the debts and liabilities contracted before they ceased to be a member.

c. Trustees' indemnities

In accordance with normal practice the Academy has purchased insurance to protect the Governors and officers from claims arising from negligent acts, errors or omissions whilst on Academy business. The cover under the policy is £10 million and in the period under review no sums were paid out.

d. Method of recruitment and appointment or election of Trustees

The Governing Body comprises of five members, and ten Trustees (2 of which are also Members being the Chair and Vice Chair) five co-opted parents, three elected parents, a staff member and the Headteacher. Additional Governors can be appointed under Article 62, 62A or 68A of the Articles of Association and further Governors under Article 63 or 68A.

The co-opted Governors are appointed by the Members of the Academy Trust. The Parent Governors are elected by the parent body of the School. The Staff Governors are elected by the School's staff. Individuals may request to join the Governing Body and the Members of the Academy Trust may decide to invite one of these individuals to join should a vacancy arise.

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(A company limited by guarantee)

TRUSTEES' REPORT (CONTINUED)
FOR THE YEAR ENDED 31 AUGUST 2019

Structure, governance and management (continued)

e. Policies adopted for the induction and training of Trustees

All Governors undertake training as appropriate to their work at the School. New Governors will be provided with an induction programme. A log is kept of all Governor training and reviewed on a regular basis at the full Governing Body meetings.

The Governors, who are also the Charity Trustees, are responsible for the overall management and control of the School and meet at least three times a year. The work of reviewing and monitoring most policies is delegated to the members of the Committees as outlined below. They all work under the chairmanship of a Governor appointed at the first committee meeting in each academic year. Terms of reference of these committees are agreed annually at these meetings. The Clerk to the Governors co-ordinates the work of the Governors and their Committees, prepares agendas and papers and reviews matters arising. The Business Manager prepares the accounts on behalf of the Governors.

All Governors give their time to the role freely, no remuneration was paid to Governors, other than Staff Governors, and no expenses were paid in the period.

f. Organisational structure

The Governors determine the general policies of the School. The day to day running of the School is delegated to the Headteacher, supported by the Senior Leadership Team. The Headteacher undertakes the key leadership role overseeing educational, pastoral and administrative functions in consultation with the Senior Leadership Team. The day to day administration is undertaken within the policies and procedures approved by the Governors. Only significant expenditure decisions and major capital projects should be referred to the Governors for prior approval. The Headteacher, a Staff Trustee and Accounting Officer, attends all Governing Body meetings. The Assistant Headteacher, the Office Manager and the Business Manager are invited to attend subcommittee meetings as appropriate.

Associate Governors attend Governors meetings by nature of their role in the Academy but do not have any voting rights and are not full Governors nor therefore directors under the Companies Act, Members of the company or Trustees of the Academy Trust.

Governors Committee Structure

Each of the sub-committees can make recommendations that must be endorsed by the full Governing Body. The Committees and the full Governing Body meet at least three times per year.

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TRUSTEES' REPORT (CONTINUED)
FOR THE YEAR ENDED 31 AUGUST 2019

Structure, governance and management (continued)

The Governing Body

The Governing Body will take a strategic role, act as a critical friend to the School and be accountable for its decisions. It will set the vision and key goals and agree, monitor and review policies, targets and priorities.

The duties of the Governing Body are as follows:

1. The conduct of the school (i.e. ethos, appearance, attitudes, level of parental support etc.) is under the direction of the Governors. The Headteacher is responsible for the internal organisation and management of the school and the Governing Body has ultimate responsibility for the implementation of the curriculum and its delivery.
2. The Governors must try to ensure that the right provision is made for students with special educational needs.
3. The Governors must have a policy on whether and how sex education should be provided at the school.
4. The Governors must decide how the school's delegated budget is spent, and ensure that accurate accounts are kept.
5. The Governors must approve the school's staffing structure. They can recommend dismissal of staff and should set out disciplinary rules and procedures. They can use their discretion over the award of incentive allowances.
6. Discipline: The Governors must approve the school behaviour policy and must hear any appeals by parents against exclusion.
7. The Governors control the use of premises outside school time and should periodically inspect the premises and keep the LEA informed as to the condition and state of repair under the terms of a 125 year lease.

THE FIRS LOWER SCHOOL
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TRUSTEES' REPORT (CONTINUED)
FOR THE YEAR ENDED 31 AUGUST 2019

Structure, governance and management (continued)

8. To agree constitutional matters including procedures where the Governing Body has discretion, as follows:
- To recruit new members as vacancies arise and to appoint new governors where appropriate; To hold at least three Governing Body meetings a year;
 - To appoint or remove the Chair and Vice Chair;
 - To appoint or remove a Clerk to the Governing Body;
 - To establish the committees of the Governing Body and their terms of reference; To appoint the Chair of any Committee;
 - To appoint or remove a Clerk to each Committee; To suspend a Governor;
 - To decide which functions of the Governing Body will be delegated to Committees, groups and individuals;
 - To receive reports from any individual or Committee to whom a decision has been delegated and to consider whether any further action by the Governing Body is necessary;
 - To provide final approval of the budget plan as recommended by the Environment and Finance sub-committee;
 - To review Health and Safety issues and recommendations referred to the Governing Body by the Environment and Finance sub-committee;
 - To review the delegation arrangements annually;
 - To agree, by early in the autumn term, the programme of work and calendar of meetings for the Governing Body and its Committees for the school year, based on known cycles of school improvement, financial management, staffing issues and communicating with parents;
 - To monitor the progress of work being undertaken by Committees and individuals;
 - To consider recommendations made by Committees with regard to the working of the Governing Body;
 - To establish and keep under review, the Governing Body 'Protocols' and 'terms of reference'; To establish and keep under review arrangements for Governors' visits to school;
 - To oversee arrangements for Governor involvement in formulating and monitoring the School Development Plan, the Ofsted SEF and School Profile;
 - To conduct reviews of the performance of the Governing body using an appropriate 'Governor HealthCheck' process;
 - To make recommendations to the Governing Body to establish working parties where particular circumstances arise e.g. a joint committee to oversee a building project or a special committee to oversee an Ofsted inspection; and
 - To be available and respond to matters of particular difficulty, sensitivity or emergency and offer advice to the Headteacher.

The following Committees are sub-committees of the Governing Body.

Environment and Finance committee

- To assist the decision making of the Governing Body, by enabling more detailed consideration to be given to the best means of fulfilling the Governing Body's responsibility to ensure sound management of the Academy's finances and resources, including proper planning, monitoring and probity.
- To make appropriate comments and recommendations on such matters to the Governing Body on a regular basis.

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TRUSTEES' REPORT (CONTINUED)
FOR THE YEAR ENDED 31 AUGUST 2019

Structure, governance and management (continued)

Staff Pay Committee

The Staffing Committee on Pay shall consider and decide upon all matters relating to staff pay as part of the annual review process in accordance with the whole school salary policy agreed by the Governing Body in respect of the following staff: school teachers; NJC Local Government Services Staff; any other staff as determined by the Governing Body.

Hearings Committee

- To make any determination to dismiss any member of staff.
- To make any decisions under the Governing Body's personnel procedures (e.g. disciplinary, grievance, capability) where the Headteacher is the subject of the action.
- To make any decisions relating to any member of staff other than the Headteacher, under the Governing Body's personnel procedures and pay policy.
- To make any determination or decision under the Governing Body's General Complaints Procedure for Parents and others.
- To make any determination or decision under the Governing Body's Curriculum Complaints Procedure, in respect of National Curriculum applications, and the operation of the Governing Body's charging policy.

Appeals Committee

- To consider any appeal against a decision to dismiss a member of staff made by the Hearings Committee.
- To consider any appeal against a decision short of dismissal under the Governing Body's personnel procedures (e.g. disciplinary, grievance, capability).
- To consider any appeal against selection for redundancy.
- To consider any appeal against a pay decision.

Pupil Discipline Committee

- To consider representations from parents in the case of exclusions of 5 days or less (Committee may not re-instate).
- To consider representations from parents in the case of exclusions totalling more than 5 but not more than 15 school days in one term (meeting to be held between 6th and 15th school days after receiving notice of the exclusion).
- To consider the appropriateness of any permanent exclusion or any exclusion where one or more fixed period exclusions total more than 15 school days in one term or where a pupil is denied the chance to take a public examination (meeting to be held between 6th and 15th school days after receiving notice of the exclusion).

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TRUSTEES' REPORT (CONTINUED)
FOR THE YEAR ENDED 31 AUGUST 2019

Structure, governance and management (continued)

Curriculum Committee

- To consider and advise the Governing Body on standards and other matters relating to the school's curriculum, including statutory requirements and the School's Curriculum Policy and Teaching and Learning Policy.
- To consider curricular issues which have implications for Finance and Personnel decisions and to make recommendations to the relevant committees or the Governing Body.
- To ensure that children's enjoyment of lessons is an integral part of all curriculum planning.
- To oversee the analysis annually of test data and pupil assessment and make recommendations to the Governing Body as appropriate.
- To ensure that all curricular improvements required by Ofsted are implemented. To review annually the School Prospectus.
- To review annually the School Profile.
- To make arrangements for the Governing Body to be represented at School Improvement discussions with the SI P and for reports to be received by the Governing Body.
- To oversee arrangements for individual Governors to take a leading role in specific areas of provision, e.g. SEND, Literacy, Numeracy and Curriculum Leadership Groups. To receive regular reports from them and advise the Governing Body.
- To oversee arrangements for educational visits, including the appointment of a named co-ordinator (EVC).

HR and Change Committee

- To draft and review annually the staffing structure, in consultation with the Headteacher and the Environment and Finance Committee.
- To oversee the selection and appointment procedure for all staff.
- To oversee and review termly, the school's safeguarding procedures, including the implementation of the Child Protection and Safer Recruiting policies.
- To establish and review a Performance Management policy for all staff. To oversee the process leading to staff reductions.
- To keep under review staff work/life balance, working conditions and well-being, including the monitoring of absence.
- To make recommendations on personnel related expenditure to the Environment and Finance Committee.
- To ensure that DfE regulatory and guidance documents are implemented appropriately in the school, with specific reference to the role assigned to the Governing Body.

Headteacher's Performance Review group

- To arrange to meet with the External Adviser / School Improvement Partner to discuss the Headteacher's performance targets.
- To decide, with the support of the External Adviser / School Improvement Partner, whether the targets have been met and to set new targets annually.
- To monitor through the year the performance of the Headteacher against the targets.
- To make recommendations to the Environment and Finance Committee in respect of awards for the successful meeting of targets set.

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TRUSTEES' REPORT (CONTINUED)
FOR THE YEAR ENDED 31 AUGUST 2019

Structure, governance and management (continued)

g. Arrangements for setting pay and remuneration of key management personnel

The Governors of the Academy do not receive any remuneration in respect of their roles as Governors. Staff Governors are only remunerated as a result of their employment by the Academy Trust.

The Academy follows Bedford Borough's Pay Policy for support staff following national NJC and Senior Management pay grades and terms and conditions. For teachers and senior leaders the Academy follows the national pay scales and progression/increment policy linked to performance management.

Performance reviews are carried out by Adam Campbell, Headteacher and Kerry Mercer, Assistant Headteacher. Any changes in pay as a result of these reviews go to the HR and Change Committee. The Headteacher's performance is reviewed by the School Improvement Partner and recommendations are made by them to the Chair of Governors and presented to the HR and Change Committee.