



## **Trustee Recruitment Pack**

## **Advertisement**

### **Discovery Educational Trust – South Essex - Trustee Opportunity**

We are looking for new Trustees to join our Board.

Are you committed to improving the educational experience and outcomes of children, and to supporting a team of dedicated staff in their vital role?

As a Trustee, you will get a chance to make a real difference from the roots up, leverage your current skills and expertise for the benefit of the schools within the Trust, participate in important support for your local community, widen your network of contacts and gain high level strategic experience and insight into becoming a non-executive director.

Our Trust currently comprises four very different schools – one in Southend and three in Brentwood. However, its record of successful school improvement has resulted in us being chosen by a further primary school in Brentwood as the Trust that it would like to join. Expansion of our secondary school base is also anticipated in the coming years.

We welcome applications from people from a wide range of backgrounds and experience. No prior knowledge of education or governance is required - we will provide all relevant training.

For an informal conversation about the role, or to apply, please contact Mrs. Helen Witty, Chair of the Trust Board ([hwitty@discoveryeducationaltrust.co.uk](mailto:hwitty@discoveryeducationaltrust.co.uk)). Please send a CV with your application.

More information on the role is available on the Trust website via this [link](#).

## **Brief Synopsis of the Trust and the Role**

### **The Trust**

Discovery Educational Trust is a multi-academy trust, created in 2014. It consists of four very different schools, three of which (Chase High School in Southend and Larchwood Primary School and St. Martin's School in Brentwood) have been a part of the Trust for a number of years and a fourth (Hogarth Primary School in Brentwood) that joined on 1 September 2023. There is another Brentwood Primary School (Kelvedon Hatch Community Primary School) set to join the Trust in late 2023.

The Trust has a combined pupil roll of 3,542, a staff of circa 540 and a combined budget of circa £25m. Our schools are supported by a strong Central Trust team.

Our vision is to improve the life chances of our pupils, and offer our children and young people a high-quality, inclusive education, a broad, balanced and ambitious curriculum and a safe and stimulating place to grow, learn and develop, maximizing their achievements: academic, creative, sporting and social. We aim for each of our schools to become the school of choice within their local community, and to ensure that all of our pupils are fully prepared to seize the opportunities of the rapidly changing world, and become active and responsible global citizens.

### **The Role**

A multi-academy trust (MAT) is a group of schools that is run in partnership with each other, and exists outside of Local Authority control. MATs receive their funding directly from the Department for Education (DfE) and make their own financial decisions. MATs have the legal status of a Company and a Charitable Trust, and Trustees are, therefore, both Company Directors and charity trustees.

This role is challenging, but rewarding, and enables professionals to use skills and experience gained throughout their career to help the MAT improve the life chances of young people. All roles are pro bono.

The Trust Board has three core functions:

1. Ensuring clarity of the vision, ethos and strategic direction.
2. Holding the Executive Leaders to account for the educational performance of the schools and their pupils, and the effective and efficient performance management of staff.
3. Overseeing the financial performance of the schools and making sure that their money is well spent.

The Trust Board, typically, meets five times each academic year. All meetings are held in person, at the DET schools.

Additionally, Trustees are expected to serve on a committee of their choice: Audit and Risk, Finance and Resources, or Pay, which each meet virtually three times each academic year.

There are no specific qualifications needed to be a Trustee. A Trust Board should be diverse and be comprised of people with different skillsets. Professional backgrounds in areas such as education, HR, law, finance, and marketing are key skills needed on our Trust Board, but

softer skills, such as negotiation, problem solving, and leadership, would also be great additions. Trustees must be able to confidently support and challenge the leadership of the Central Team and our schools, and must have the time to fully commit to the role.

We believe that diverse Trust Boards lead to better decision making in the interests of the whole Trust community, and, therefore, we are keen to improve the diversity of our Board across all protected characteristics, as well as background and experience.

Discovery Educational Trust is committed to safeguarding and promoting the welfare of children, and expects all staff and volunteers to share this commitment. The Trustee role is subject to an enhanced disclosure from the Disclosure and Barring Service, and a character reference.

## Trustee Role Description

The Trustees of Discovery Educational Trust (DET) are both charity trustees and company directors. This document refers only to Trustees.

## Overall Purpose

The DET Trust Board (TB) is responsible for the overall governance and strategic direction of DET, developing DET's aims, objectives and goals in accordance with the [Articles of Association](#) and legal and regulatory guidelines, and fulfilling DET's objectives for pupils, families, staff and the wider community.

## Legal Duties of a Trustee

### Duty of Compliance

Trustees must:

- Ensure that DET complies with charity law, and with the requirements of the Education and Skills Funding Agency (ESFA) as regulator; in particular ensure that DET prepares reports on what it has achieved and annual returns and accounts, as required by law.
- Ensure that DET does not breach any of the requirements or rules set out in its [Articles of Association](#), Funding Agreement or the Academy Trust Handbook, and that it remains true to the charitable purpose and objects set out therein.
- Comply with the requirements of other legislation and other regulators, which govern the activities of DET.
- Act with integrity and avoid situations where duty to DET conflicts with personal interests or loyalty to any other person or body.

### Duty of Care

Trustees must:

- Use reasonable care and skill in Trustee work, using personal skills, knowledge and experience to ensure that DET is well run and efficient.
- Consider leveraging external professional advice on all matters where there may be material risk to DET, or where the Trustees may be in breach of duties.

### Duty of Prudence

Trustees must:

- Ensure that DET is, and remains, solvent.
- Use DET's funds and assets reasonably and responsibly and only in furtherance of DET's objects.
- Avoid undertaking activities that might place DET's endowment, funds, assets or reputation at undue risk.
- Adhere to the following requirements when investing DET funds or borrowing funds for DET to use:

- Investing – the TB may invest to further DET’s charitable aims, but must ensure that investment risk is properly managed. Investments must be agreed by the Finance and Resources Committee (FRC), and be in accordance with the DET Treasury Management Policy.
- Borrowing – DET is not permitted to operate an overdraft on bank accounts or hold a credit card, although business charge cards are permitted. DET must obtain Department for Education (DfE) approval to borrow (including finance leases and overdraft facilities) (refer Academy Trust Handbook 5.33) and permission to borrow is only granted by the DfE in exceptional circumstances (Academy Trust Handbook 5.34). The exception to this is the approved DfE Salix scheme operated in conjunction with the Condition Improvement Fund (CIF) capital funding scheme.

## **Specific Duties of DET Trustees**

### **Strategic Direction**

Trustees must ensure that DET has a clear vision, values, mission and strategic direction/priorities that enable it to fulfil its objects, and that it is focused on achieving these. Trustees must work in partnership with the Chief Executive Officer (CEO) and other senior staff to ensure that:

- There is a common understanding of DET’s vision, values and strategy by Members, Trustees, Local Governors and staff.
- Operational plans and budgets support the vision and strategy.
- The views of stakeholders (parents/carers, pupils, local communities and staff) are regularly sought and considered.
- There is regular review of the external environment for changes that might affect DET (political, financial, demographic, competitive, partnerships, alliances).
- There is regular review of the need for DET, and for the services it provides, or could provide, and regular review of strategic plans and priorities.

### **Performance**

Trustees are responsible for the performance of DET, for its impact on stakeholders and for its corporate behaviour:

- To ensure that DET measures its impact and progress towards its strategic objectives, and to regularly review and challenge reports on DET’s performance.
- To ensure that there are policies, including effective employment policies, to direct key areas of DET’s business.
- To ensure that DET’s values are understood, and implemented by Trustees and staff.
- To ensure that there are complaints systems in place for all stakeholders.
- To ensure that there are processes for Members, Trustees, Local Governors, staff and other stakeholders to report any activity, which might compromise the effectiveness of DET.

- To recruit the CEO and to hold them to account for the management and administration of DET.
- To ensure that the CEO receives regular, constructive feedback on their performance in managing DET, and in meeting their annual and longer-term objectives.

## **Compliance**

Trustees must ensure that DET complies with all legal and regulatory requirements:

- To ensure, with professional advice, as appropriate, that DET complies with all constitutional, legal, regulatory and statutory requirements.
- To understand and comply with the DET [Articles of Association](#) that govern DET and to review those Articles regularly, at least, every three years, to ensure that they are fit for purpose.

## **Prudent Management of Resources**

Trustees must be stewards of DET's assets, both tangible and intangible:

- To ensure that DET's financial obligations are met, and that there are adequate financial controls in place to ensure that all money due is received and properly applied, and that all assets and liabilities are recorded.
- To ensure regularity and propriety in the use of DET funds, and achieve economy, efficiency and effectiveness – the three elements of “value for money”.
- To act reasonably and prudently in all matters relating to DET and always in the interests of DET.
- To ensure that Trustees take professional advice, when needed, and record the advice received.
- To take ownership of DET's financial sustainability and its ability to operate as a going concern.
- To ensure that DET acts in accordance with employment law, and that DET exercises a duty of care to its employees.
- To ensure that intangible assets such as organisational knowledge and expertise, intellectual property, DET's good name and reputation are recognised, used and safeguarded.
- To review the condition and use of the assets owned by DET.
- To ensure that the major risks to DET are regularly identified and reviewed, and that systems are in place to mitigate or minimise these risks.

## **Good Governance**

Trustees must ensure that DET's governance is of the highest standard:

- To ensure that DET has a governance structure that is appropriate to a Trust of its size/complexity, stage of development and its objects, and reflects the diversity of its stakeholders.

- To ensure that there are effective mechanisms for individual DET Schools to be both supported, and held to account, by the governance structure.
- To ensure that decisions are made with a view to promoting the education and wellbeing of all pupils.
- To ensure that TB decisions are recorded, in writing, by means of minutes.
- To ensure that the TB's delegated authority is recorded in a Scheme of Delegation (SoD) for TB Committees, Role Descriptions for honorary officers, Trustees and key staff, and that reporting procedures to the TB are recorded, in writing, and complied with.
- To ensure that the responsibilities delegated to the CEO are clearly expressed in the SoD, and understood, and that directions given to them come from the TB, as a whole, or other properly authorised route.
- To ensure that the TB regularly reviews DET's governance structure and its own performance, to an agreed programme.
- To ensure that major decisions and policies are made by the Trustees acting collectively.
- To ensure that the TB has, within its membership, the skills it requires to govern DET well.
- To ensure that the TB has access to and considers relevant external professional advice and expertise.
- To ensure that there is a systematic, open and fair procedure for recruitment of Trustees, and of the CEO.
- To ensure that all Trustees receive appropriate induction on appointment, and that they continue to receive appropriate advice, information and training (both individual and collectively).
- To ensure that Trustees have a Code of Conduct, and comply with it, and that mechanisms are in place for the removal of Trustees, who do not abide by this Code.

## **Individual Commitment**

Trustees are expected:

- To fully commit to DET and its objects, and be willing and able to devote necessary time and effort to all Trustee responsibilities.
- To always act in the best interests of all the pupils of DET Schools.
- To become acquainted with DET Schools, including visiting them occasionally during school hours, and gaining a good understanding of the Schools' culture, strengths and weaknesses.
- To attend meetings of both the TB, and those TB Committees that the Trustee is a member of, and ensure that all papers are read beforehand in order to make meetings as productive and efficient as possible. TB and TB Committee meetings, typically, occur once every half-term with ad-hoc meetings being called, as required. Each Trustee should expect to be a member of one TB Committee. Two consecutive absences from any meeting may result in the Trustee being removed from the TB and TB Committee, at the discretion of the TB.

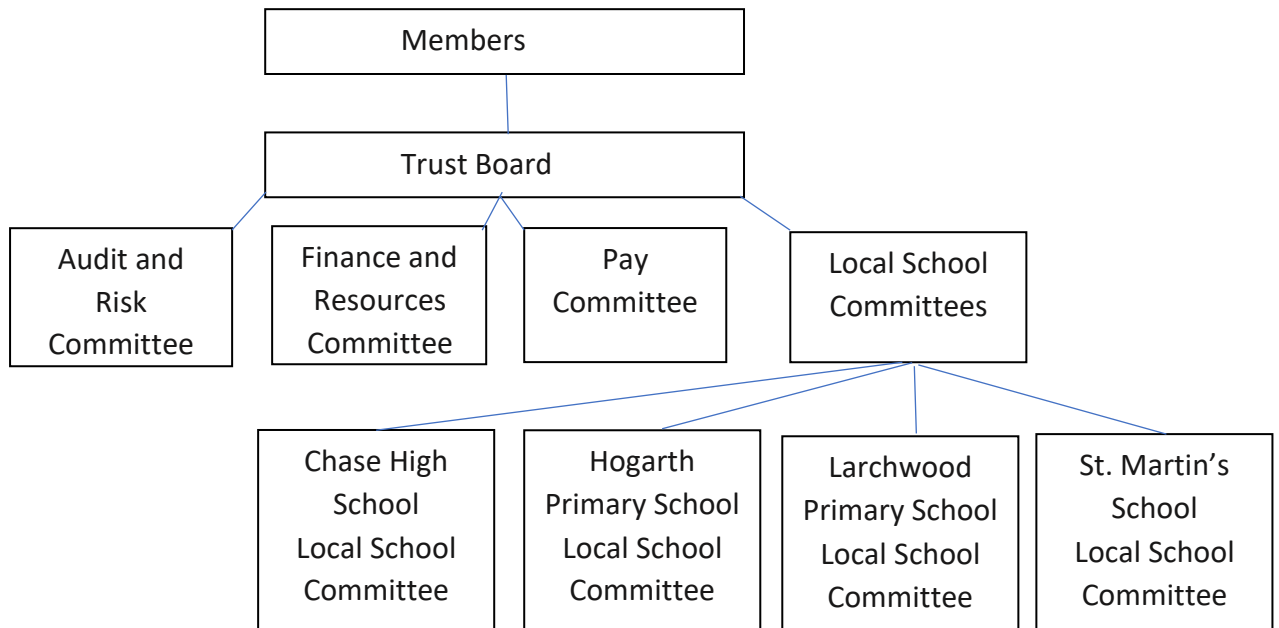


- To actively participate in, and proactively engage with, all relevant TB and TB Committee meetings and discussions.
- To be punctual for meetings and demonstrate courtesy and respect towards fellow Trustees.
- To exercise due care and attention and use reasonable skill in dealing with DET affairs.
- To utilise skills, knowledge and experience to facilitate the TB reaching optimal decisions.
- To lead TB discussion and activities where a Trustee has specific knowledge.
- To attend induction training and regular relevant training and development courses/events, completing, in the region of, ten hours of training in every academic year. Training may include strategic off-site sessions to take place on weekends.
- To actively participate in and engage with the annual self-review of the TB's performance and personal performance as a Trustee.
- To behave in a professional manner, as documented in the DET Code of Conduct for Trustees and Local Governors, including acting in strict confidence.
- To abide by Nolan's seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- The Chair is responsible for ensuring the effective functioning of the TB and for setting professional standards of governance and accountability for the TB.

### **Personal Liability**

- Under Company Law, the Trustees of an Academy Trust, as Company Directors, have no personal liability for wrongdoing by DET if they act honestly, reasonably, in good faith and within the scope of their duties.
- As an Academy Trust is also a charity, the Trustees are also subject to Charity Law. Trustees do not incur personal liability as charity trustees as long as they act honestly, reasonably, lawfully and in accordance with the DET [Articles of Association](#) and decisions taken under these.
- Trustees are personally liable as charity trustees if they commit a breach of trust, which results in financial loss to DET. As charity trustees are collectively responsible for running a charity, liability is usually shared between all Trustees.
- On the basis that a Trustee acts **diligently**, i.e. knows and adheres to the DET [Articles of Association](#) and its policies, **prudently**, i.e. acts reasonably and not recklessly, and **in good faith**, i.e. acts honestly and with best intentions, likelihood of facing personal liability is relatively low.

## Governance Structure Chart



## Trustee Person Specification

In addition to the legal duties, the Department for Education (DfE) provides various guidance on the role of governance in academy trusts including *A Competency Framework for Governance*, which states that all those involved in governance should be:

- Committed:** Devoting the required time and energy to the role and ambitious to achieve best possible outcomes for young people. Prepared to give time, skills and knowledge to developing themselves and others in order to create highly effective governance.
- Confident:** Of an independent mind, able to lead and contribute to courageous conversations, to express their opinion and to play an active role on the board.
- Curious:** Possessing an enquiring mind and an analytical approach and understanding the value of meaningful questioning.
- Collaborative:** Prepared to listen to and work in partnership with others and understanding the importance of building strong working relationships within the board and with executive leaders, staff, parents and carers, pupils/students, the local community and employers.
- Critical:** Understanding the value of critical friendship which enables both challenge and support, and self-reflective, pursuing learning and development opportunities to improve their own and whole board effectiveness.
- Creative:** Able to challenge conventional wisdom and be open-minded about new approaches to problem-solving; recognising the value of innovation and creative thinking to organisational development and success.

The following characteristics, knowledge, and experiences (or commitment to gain them) would be advantageous to the role of Trustee of DET:

- a high level of understanding or interest in education;
- a commitment to the values and principles of DET;
- strong business and financial acumen;
- experience of committee work;
- highly developed interpersonal and communication skills;
- ability to understand complex strategic issues, critically assess, analyse and resolve difficult problems;
- emotionally intelligent with sound, independent judgement, courage, common sense and diplomacy;
- politically astute, with the ability to grasp relevant issues and understand relationships between interested parties;
- clear understanding, and acceptance, of the legal duties, liabilities and responsibilities of trustees;

- sound knowledge of charity governance, and sufficient time and commitment to fulfil the role;
- resilience;
- ability to listen to and welcome alternative opinions and experiences;
- flexibility in thinking; and
- a desire to implement the highest standards of governance.