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**Scheme of Delegation**

The primary purpose of this document is to inform those involved with the governance of the academy trust those powers and functions which are reserved to the Trust Board, and which are delegated elsewhere.

The Company has two layers of corporate governance as set out in the Articles of Association:

Members

The Members of the trust subscribed to the Memorandum and Articles of Association and are guardians of the governance of the Trust. They perform the functions shareholders would in a company, although this is not a profit making company. The articles of association describe how Members are recruited and determine how many of the Trustees the Members can appoint to the Trust Board. The Members appoint Trustees to ensure that the Trust’s charitable object is carried out and can remove Trustees if they fail to fulfil this responsibility. Accordingly, the Trust Board submits an annual report on the performance of the trust to the Members. Members are also responsible for approving any amendments made to the Trust’s articles of association.

Trustees

The MAT is a charitable company and so Trustees are both charity Trustees (within the terms of section 177(1) of the Charities Act 2011) and Company Directors. To ensure ease of reference, they will always be referred to as Trustees.

The Trustees 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 responsible and accountable for all statutory functions and for the performance of all schools within the Trust.

The Board of Trustees is supported by three committees – Audit and Risk Committee, Performance and Standards Committee and Pay Review Committee – to carry out some of its governance functions which will include making decisions, although any decisions made will be deemed decisions of the Trust Board. Trustees make up the membership of these committees, with advice and input from the Executive Team which includes the CEO, Safeguarding Lead, Pastoral Lead and School Improvement Leads. Committees may co-opt governors from Local Governing Bodies or from the community with strong and relevant skills, providing the majority of members are trustees.

Trustees, in addition, must carry out the three core governance functions:

1. Ensure clarity of vision, ethos and strategic direction.

2. Hold the CEO, head teachers and senior leaders to account for the educational performance of the Trust’s schools and their pupils, and the performance management of staff.

3. Oversee the financial performance of the Trust and make sure its money is well spent.

Local Governing Boards

In accordance with the principle that effective governance is best delivered as close as possible to the point of impact of decisions, the Company has a third tier of governance in the form of Local Governing Boards. Local Governing Boards are essentially committees of the Board with powers delegated to them in accordance with this Scheme of Delegation, which include:

* Setting the vision, values and strategic aims of the academy, in line with the overall trust vision.
* Developing the budget plan for the academy.
* Monitoring and reviewing academy expenditure.
* Ensuring appropriate risk assessments are in place for the academy.
* Challenging attainment and progress across a healthy curriculum.
* Ensuring implementation of policies and procedures and evaluating impact of those policies to report to trustees.
* Engaging with stakeholders.
* Reporting to the Trust Board.

Executive Leadership Team

The performance and governance of the company is supported by an Executive Leadership Team.

* Chief Executive Officer (CEO) – Steven McClean
* Vice Chief Executive Officer/Pastoral and Welfare lead – Jason Murgatroyd
* School Improvements Leads – Patsy Petrie and Melanie Mellor
* Safeguarding lead – Sandra Marsden

The Trust has established a central team which will be responsible for the day to day operations of the trust. In addition, the CEO is the Accounting Officer so has overall responsibility for the operation of the Academy Trust’s financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money.

The Board will delegate functions appropriate to the roles within the Executive Management Team. They will remain accountable to the Trust Board for their individual performance and the performance of the Trust. They will meet regularly and accept responsibility for operational tasks delegated in order to drive forward school improvement.

Academy Head Teacher

The Academy Headteacher is responsible for the day-to-day management of the Academy and reports to the Board of Trustees and Local Governing Board on matters which have been delegated to it in regard to both function and accountability.

In determining this Scheme, the Trustees have been mindful that the Board of Trustees is ultimately accountable for the way in which the academies managed by the MAT are run and as such must be satisfied that:

* Delegation takes place only where appropriate and that it receives appropriate reports on matters delegated by it/actions taken in its name to enable appropriate oversight
* There are some areas where it makes sense for matters to be dealt with centrally, rather than by individual academies. It is hoped that this will reduce the burden on the individual academies, which already have a heavy workload, and in appropriate cases achieve economies of scale.
* The Board cannot take all decisions itself, and in making decisions that the Board reserves for itself, it will often be reliant on information and advice from and be guided (as appropriate) by its committees, the academy LGBs and others operating at academy level.
* The Scheme should not be confused with the written scheme of delegation of financial powers referred to in the Academies Financial Handbook, which is a separate document.

The Scheme will be reviewed by trustees each year and may only be altered or revoked by the trustees. Trustees have the absolute discretion to review, amend, and/or terminate the Scheme at any time and as it sees fit. It does not contain details of every decision/responsibility or every aspect that will be delegated. The content will be supplemented by the Trust’s strategic plans, policies and procedures and any direction given or rules and directions agreed or issued by the Members or the Board of Trustees. In the event that there is uncertainty as to which tier of governance has responsibility for a particular matter, guidance should be sought from the Chair of the Trust. It should also be made clear that alternative schemes of delegation may be adopted for schools which are performing less than well or where there are other concerns around the leadership or governance of the school.

There will be standard practice across the trust, which includes:

* Safeguarding practice and policy
* School self-evaluation and school improvement
* SEND practice and policy
* The pupil premium report, strategy and policy

We will also be working towards creating standard practice in other areas, which includes:

* Common reporting
* Staff performance
* Assessment framework

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Key:  ✓  \*  ET  CEO  HT  RAC  PSC  SASP | Action undertaken at this level  Information to be presented for scrutiny  Executive Team  Chief Executive Officer (including finance)  Head teachers  Resources and Audit Committee  Performance and Standards Committee  Safeguarding and SEN Panel |  | < >  COT  Board  LGB  SBM  Gov  EWO  DPO  SIT | Direction of advice & support  Chair of Trustees  Board of Trustees  Local Governing Body  School Business Managers  Appointees to LGB  Education Welfare Officer  Data protection officer  School Improvement Team |

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| --- | --- | --- | --- | --- | --- | --- |
| **Area** | **Function** | **Members** | **Board** | **LGB** | **Other** | **Notes** |
| **Strategic Direction** | Setting the vision, values & strategic aims of the trust |  | ✓ |  | <ET |  |
| Setting the vision, values & strategic aims of the academy, in line with the overall vision and objective of the academy trust. |  |  | ✓ | <HT | HTs will ensure it aligns with Trust Vision and Values |
| Trust Strategic Plan: establish & monitor |  | ✓ |  | <ET |  |
| Academy Development Plan: establish & monitor |  |  | ✓ | <HT | HTs will share development plans with Trust board when complete |
| **Financial & Operational Management** | Budget plan for Trust and Individual Academies: agree & approve  (a deficit budget is not allowed) |  | ✓ |  | <CEO  <CFO |  |
| Budget plan for Trust: monitor |  | ✓ |  | <CEO  <CFO |  |
| Budget plan for Individual Academy: develop |  | \* | ✓ | <CEO  <CFO  <HT  <SBM | In line with academy improvement priorities and will be recommended to the trust board. |
| Budget plan for Individual Academy: monitor |  | \* | ✓ | <HT  <SBM | LGB to monitor, challenge and to hold academy to account. LGB responses to be shared with trustees for further challenge if needed. |
| Agree corporate and trust-wide contracts for service |  | ✓ |  | <CFO  <ET |  |
| Agree local academy contracts/binding agreements |  | \* | ✓ | <HT  <SBM | These are agreements for individual academies, there is no collective arrangement with the trust and is in line with individual academy priorities. Each agreement will comply with AFH and financial elements within the scheme of delegation and will be signed of by trustees as necessary. |
| Financial procedures: approve in accordance with legal & DfE requirements, best practice & auditor recommendations |  | ✓ | \* | <CEO  <CFO  <External  Auditors  Accountant | Agreed at trust board information shared with LGB. |
| Authorise expenditure and make payments   * Expenditure up to £10,000 will be delegated to the Head teacher. * Expenditure of £10,000 and up to £20,000 will be delegated to the Local Governing Body. * Expenditure of £20,000, or more, will be delegated to the Trust Board. |  | \*  ✓ | \*  ✓  < | ✓HT  <HT  <SBM  <HT  <SBM | Delegation as outlined in the AFH. |
| Approve charging policy for academy services |  | ✓ | < | <HT  <SBM |  |
| **Area** | **Function** | **Members** | **Board** | **LGB** | **Other** |  |
| **Financial & Operational Management** | DfE indicative funding of Academies: consider & assess implications |  | ✓ | < | <CEO  <ET  <CFO |  |
| Academy budget headings & areas of expenditure: receive & recommend, inc, level & use of contingency funds or balances |  | ✓ | < | <ET  <CFO  <SBM |  |
| Income & expenditure (Trust): monitor and review |  | ✓ |  | <CEO  <RAC  <CFO |  |
| Income & expenditure (Academy): monitor and review |  | \* | ✓ | <HT  <SBM  <CFO | All variances to be reported to LGB, with any varianes exceeding £10,000 also reported to the trust board, accompanied by explanation of planned action by LGB to address. This allows for LGB to retain scrutiny role, whilst promoting accountability to trustees  An agreed format of monthly management accounts to be presented to trustees who retain accountability. LGB to have scrutiny role and will report to trustees on what action has been put in place to address variances and reduce spending. |
| Financial procedures: monitor & review to ensure effective implementation & operation inc, bank account arrangements, recommend improvements |  | ✓ |  | <RAC  <CEO  <CFO  <SBM |  |
| **Annual Report** | Financial Statements/ Annual Report approve |  | ✓ |  | <RAC |  |
| Financial Statements/ Annual Report receive | ✓ |  |  |  |  |
| Appointment of external auditors | ✓ | < |  | <RAC |  |
| External Audit: determine nature & scope |  | ✓ | \* | <RAC  <CFO | Trust board to determine who and when. |
| Internal control systems: establish |  | ✓ | \* | <RAC  <CFO | Head Teachers to report findings/actions related to the individual academy as part of LGB meetings. Any comments from LGB to be taken back to the trust board. |
| Internal control systems of Trust & Academies: review effectiveness |  | ✓ | \* | <CEO  <CFO  <RAC | Head Teachers to report findings/actions related to the individual academy as part of LGB meetings. Any comments from LGB to be taken back to the trust board. |
| Auditor’s reports: receive, consider & recommend action to findings & good practice |  | ✓ | \* | <CEO  <CFO  <SBM | Head Teachers to report findings/actions related to the individual academy as part of LGB meetings. Any comments from LGB to be taken back to the trust board. |
| Internal Audit provision: ensure it meets relevant standards & is compliant with guidelines |  | ✓ |  | <CEO  <CFO |  |
| Trust’s internal and external financial statements & reports: review to ensure sound financial management & good practice |  | ✓ |  | <RAC  <CFO  <SBM |  |
| **Premises** | Security of premises & equipment: oversee & monitor academy activities |  |  | ✓ | <HT  <SBM |  |
| Premises related funding bids: oversee |  | ✓ | < | <CFO  <ET  <SBM |  |
| Building Development Programme & Asset Management Plan approve |  | ✓ | < | <CFO  <ET  <SBM |  |
| Capital development projects: monitor academy activities, advise & make recommendations to Board |  | ✓ | < | <ET  <CFO  <HT  <SBM |  |
| **Area** | **Function** | **Members** | **Board** | **LGB** | **Other** |  |
| **Insurance** | Insurance arrangements: oversee |  | \* | ✓ | <CEO  <RAC  <CFO | At the moment we have organised this as individual academies but we will be looking to change this to insurance across the trust in the near future. |
| **Health and Safety** | Health & Safety: oversee & monitor health and safety across the trust, including policies & procedures across the trust |  | ✓ | \* | <CEO  <CFO  <SBM | Trust board to decide what they would like reporting and how often. They will determine policy and procedure and share with LGB. |
| Health and Safety: audit of individual academies |  | \* | ✓ | <HT  <SBM | Reports to be submitted to trust board for information. |
| Health & Safety: ensure risk assessment processes in place in each individual academy |  | \* | ✓ | <HT  <SBM | Reports to be submitted to trust board for information. |
| **Risk Management** | Management of risk: establish & monitor Trust Risk Register & risk management systems |  | ✓ | \* | <CFO  <RAC  <CEO |  |
| Management of risk: establish & monitor Individual Academy Risk Register & risk management systems |  | \* | ✓ | <RAC  <CFO  <HT  <SBM | LGB to establish and monitor Risk Register at academy level and report back to trust board regularly as part of the consolidated risk register. |
| **ICT** | IT: oversee & monitor Trust strategy, developments & implementation. |  | ✓ |  | <ET  <ONE IT | Trust board to agree trust wide communication systems and strategy for trustees, LGB and schools |
| IT: oversee & monitor Individual Academy strategy, developments & implementation. |  |  | ✓ | <HT  <SBM  <ONE IT | Individual Academies will assess their own requirements for development and improvements then follow financial procedures for implementation. |
| Information Security: oversee & monitor policies & procedures across trust |  | ✓ | \* | <CFO  <CEO | Trust board to agree policy and procedure. |
| Information Security: for ensuring effective implementation & operation of information security control processes at individual academy level |  | \* | ✓ | <HT  <DPO | LGB to receive reports from HT and DPO at meetings. Breaches will reported to both LGB and Trust board. |
| **Governance** | Members: appoint/remove | ✓ | < |  |  |  |
| Trustees: appoint/remove | ✓ | < |  | <Clerk |  |
| Co-opted Trustees: appoint/remove |  | ✓ |  | <Clerk |  |
| Board/ Board Committee Chairs/Vice Chair: appoint/remove |  | ✓ |  | <Clerk |  |
| LGB Governors: appoint/remove (unless elected) |  | > | ✓ | <Clerk | LGBs are committees of the board therefore membership responsibility of trustees. For the purposes of elected local governors, staff and parents. LGB can appoint but it is reported to trustees for information and trustees can disagree if deemed unsuitable.  Trust board has the authority to remove LGB members if it is deemed that they are not compliant to the underlying principles of the trust and the Governance framework |
| LGB Chairs: appoint/remove |  | > | ✓ | <Clerk | LGB to appoint chair from within LGB if a suitable candidate comes forward. It is reported to trustees for information.  Trust board has the authority to appoint and remove LGB Chairs if it is deemed that they are not compliant to the underlying principles of the trust and the Governance framework |
| Clerk to Board: appoint/remove |  | ✓ |  |  |  |
| Clerk to LGB: appoint/remove |  | ✓ | < |  | Provided by top slice. LGB to discuss any change wanted with trust board. |
| Articles of Association: agree & review | ✓ |  |  | <CEO  <Clerk | Agreement from Secretary of State will be sought. |
| Governance Structure (Committees) for the Trust: Establish & Review |  | ✓ |  | <Clerk |  |
| Scheme of Delegation: agree & review |  | ✓ | < | <ET | LGB will have an opportunity to review and comment on before final agreement. |
| Terms of Reference for Trust Committees: agree & review |  | ✓ |  | <Clerk  <CEO | Each committee has opportunity to review first meeting in each term so would have input into any recommended changes to trustees. |
| Policies & Procedures: establish, approve & review (delegated in accordance with Policy Approval Schedule) |  | ✓ | ✓ | <ET  <HT  <Clerk | In addition to statutory policy requirements for which the academy trust is legally accountable, the trust board recognises there may be a need for individual academies to establish policies that are suitable to the ethos and needs of the academy. Unless otherwise agreed by trustees and set out in the policy review schedule academies may determine policies and procedures as they see fit |
| Register of Business & Pecuniary Interests for Members/ Trustees/ Governors: establish & publish |  | ✓ |  | <Clerk |  |
| Annual schedule of business for Trust Board: agree |  | ✓ |  | <Clerk |  |
| Annual schedule of business for LGB: agree |  | > | ✓ | <Clerk  <ET |  |
| Compliance with legislative requirements |  | ✓ |  |  |  |
| Individual Academy self-evaluation process: establish & monitor |  |  | ✓ | <HT  <SIT | Individual HTs will write the SEF for their schools in consultation with the school improvement team who will then share these with the PSC |
| Skills Audit of Board/ LGB: complete & recruit to fill gaps |  | ✓ | ✓ | <Clerk |  |
| Self-review of Board: performance |  | ✓ |  | <Clerk |  |
| Self-review of LGB: performance |  | \* | ✓ | <Clerk |  |
| **Area** | **Function** | **Members** | **Board** | **LGB** | **Other** |  |
| **Human Resources and Staffing** | CEO: Appoint |  | ✓ |  |  |  |
| CEO: Remove |  | ✓ |  | <HR  <Legal Team | Disciplinary/capability policy and procedure to be followed. Trust board to make final decision based on evidence and guidance. |
| Performance Management of CEO: undertake |  | ✓ |  | <External Consultant | The pay review committee which will include the Chair of Trustees will lead the process and be supported by an external consultant. |
| Review of role and responsibilities of CEO |  | ✓ |  |  | This will be reviewed annually by the trust board. |
| Academy Head teachers: remove |  | ✓ | \* | <HR  <Legal Team | Procedure would be led by trustees who would be supported by HR and Legal. LGB if not involved woul be kept up to date.  Disciplinary/capability policy and procedure to be followed. Trust board to make final decision based on evidence and guidance. |
| Academy Head Teachers: Appoint |  | > | ✓ | <ET | LGB chair will lead the process with support and input from the Trust board and Executive team who would make up the recruitment panel. The final candidate would be recommended by the LGB to the trust board for the formal appointment |
| Performance Management of Academy Head teachers: undertake |  | > | ✓ | <External Consultant | LGB pay review committee will lead the process along with the link Trustee and external consultant (to be agreed by trustees) |
| Pay Awards – Academy Head teachers: agree |  | ✓ | < | <External consultant | LGB pay review committee will lead the process along with the link Trustee and external consultant (to be agreed by trustees) |
| Performance Management of Academy staff. |  |  | ✓ | <HT  <SLT |  |
| Academy Senior Leadership: Appoint |  | \* | ✓ | <HT | LGB to lead process with HT. Link trustee to be invited to join recruitment panel. |
| Academy Senior Leadership: Remove |  | ✓ | < | <HR  <HT  <Legal Team | Disciplinary/capability policy and procedure to be followed. Trust board to make final decision based on evidence and guidance. |
| Academy Staff: Appoint |  |  | ✓ | <HT |  |
| Academy Staff: Remove |  | \* | ✓ | <HT  <HR  <Legal Team | Disciplinary/capability policy and procedure to be followed. In the event of any appeal the matter will be determined by the trust board |
| Central Trust Staffing Structure: agree & review |  | ✓ |  | <ET |  |
| Individual Academy Staffing Structure: agree |  | \* | ✓ | <HT | Structure to be shared with trustees as part of agreeing the annual budget plan. |
| Agree general employment terms and conditions for staff, including pay structures and policy |  | ✓ |  | <HR |  |
| Pay Awards –Central Trust Staff: agree |  | ✓ |  | <ET |  |
| Staff Appraisal Policy: agree policy  Review process & procedure in line with policy |  | ✓ |  | <HR |  |
| Personnel Policies: develop, review, oversee implementation & monitor impact via KPIs |  | ✓ |  | <HR  <ET |  |
| **Pupil Development** | Academic Performance: setting targets |  | \* | ✓ | <HT  <SIT  <PSC | The HT will set improvement targets in collaboration with the SIT who will report back to the PSC |
| Academic Performance: monitor & review student progress, attainment & achievement against targets |  | \* | ✓ | <HT  <SIT  <PSC | The HT will monitor improvement targets in collaboration with the SIT who will report back to the PSC |
| Academy Improvement/ Raising Standards |  | \* | ✓ | <ET |  |
| **Area** | **Function** | **Members** | **Board** | **LGB** | **Other** |  |
| **Performance Management** | Holding the Head teacher to account for performance |  | \* | ✓ | <External Consultant | LGB to hold HT to account across the year. This will include reports on Performance management interim and end of year reviews,  School improvement work with SIT and external consultant.  Termly reports to the LGB and PSC. |
| Holding all Academies to account |  | ✓ | \* | <PSC  <External Consultant  <ET | The ET will set up a timetable of monitoring and reviews which will be fed back to the PSC who will report to Trust board |
| Teaching & Learning: monitor quality |  | \* | ✓ | <HT  <SIT  <PSC  < External consultant | External consultant advice will be timetabled as part of school improvement, but may not necessarily be annually.  SIT will create an annual timetable of reviews which could include, data, teaching and learning and curriculum. |
| Selected Groups (eg SEND/EAL/Pupil Premium/Most Able): monitor progress & provision |  | \* | ✓ | <ET  <Pas lead  <SG Lead | This will form part of an annual timetable |
| Inclusion, equality & diversity: promote & monitor |  | \* | ✓ | <Pas Lead  <SG Lead | This will form part of an annual timetable |
| **Admissions** | Admissions policy - Trust |  | ✓ |  | <HT  <SG Lead | In the event of appeal the academy trust will comply with Code of Practice and for the purpose of appeal will use Las. |
| Admissions: admitting pupils above the school’s pupil admission number |  |  | ✓ | <HT | Individual schools will know if they have the capacity to go over their numbers in any particular year group, taking in to consideration class sizes, number of staff, number of SEN, pupils with EAL etc. Therefore this will vary from school to school and needs to be a school level operational decision |
| **Behaviour, discipline & exclusions** | Behaviour Policy: review and monitor |  |  | ✓ | <HT |  |
| Personal Development, Behaviour, Attendance & Welfare of Students: review & monitor |  |  | ✓ | <HT  <Pas Lead  <SG Lead |  |
| Pupil Exclusions: policy & procedure |  | ✓ | \* | <ET  <HT | Has to comply with statutory guidance agreed by trustees and fed into individual academies. |
| Pupil Exclusions: review fixed term/permanent exclusions |  |  | ✓ | <HT |  |
| **Attendance** | Attendance Policy: review and monitor |  |  | ✓ | <HT  <Pas lead  <SG Lead  <EWO | Attendance policies will vary between academies |
| **Complaints** | Complaints: policy & procedure |  | ✓ | \* | <CEO  <Clerk | Trustees agree policy for implementation across the trust, LGB responsible for implementing |
| Review complaints: Individual Academy |  |  | ✓ | <HT | If there are not enough local governors for a panel we can use governors from other LGB’s across the trust. |
| Review complaints: Academy Trust and LGB |  | ✓ |  | <CEO |  |
| **Curriculum** | Curriculum policy: review and monitor |  |  | ✓ | <HT |  |
| Setting the aims of the curriculum across the Trust. |  | ✓ |  | <HT  <ET |  |
| Curriculum: review & monitor scope, impact & implications |  | \* | ✓ | <SIT  <HT | This is part of the monitoring and review timetable |
| Curriculum: ensure compliant with legal requirements & funding agreement |  |  | ✓ | <HT  <SIT |  |
| British Values & strategies to avoid radicalisation: promote & monitor impact |  |  | ✓ | <HT  <Pas lead  <SG lead |  |
| **Community** | Community Relations & Marketing: Trust |  | ✓ |  | <CEO  <ET |  |
| Community Relations & Marketing; Individual Academy |  | \* | ✓ | <HT  <SBM |  |
| **Safeguarding** | Safeguarding procedures: agree and review |  | ✓ | \* | <SG Lead  <Pas Lead  <ET  <External Consultant | Policy and procedure agreed at Trust Board and decisions shared with LGB so it can be monitored by LGB. |
| Safeguarding procedures: monitor implementation |  |  | ✓ | <SG Lead  <Pas Lead  <ET  <External Consultant | LGB to monitor individual academy. Safeguarding lead will report to LGB and Trustees on success of implementation. |
| **Term Time** | Term Time dates: set |  | ✓ | \* | <ET  <LA | The Trust will adhere to the LA set dates. Individual academies will set their own PD days and share with LGB. |
| School day: times |  |  | ✓ | <HT  <ET |  |