

Scheme of Delegation (Governance)

The purpose of scheme of delegation

This scheme of delegation (SoD) is the key document defining which functions have been delegated and to whom. It is an important working document and provides a simple and systematic way of ensuring members, trustees, committees and individuals are clear about who has responsibility for making which decisions in the trust. This overarching SoD covering all decision making in the trust should not be confused with the written scheme of delegation of financial powers referred to in the Academies Financial Handbook.

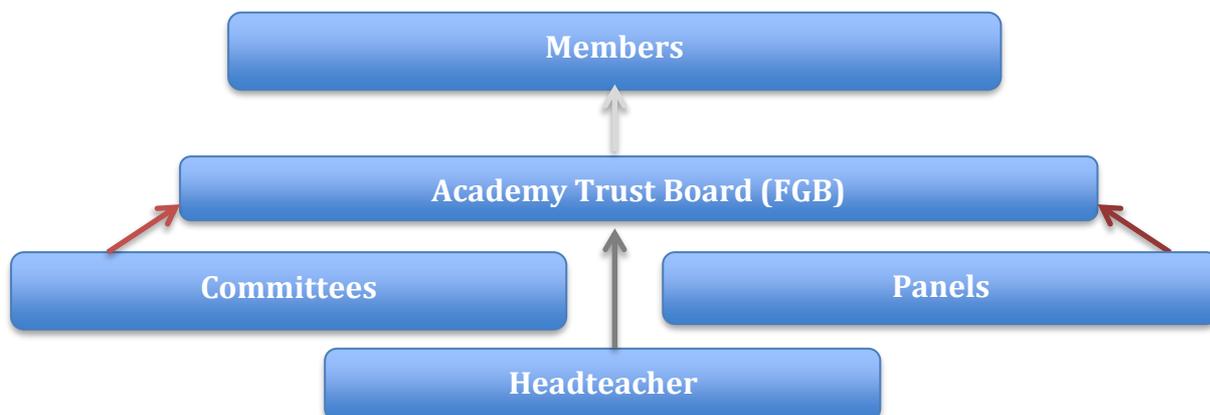
Review and adapt

The SoD should be reviewed annually, with revisions made as the context changes. All those involved in governance, and delivering the Trust's objectives, must be made aware of any changes and the impact of those changes.

If effective the SoD will:

- Ensure the school leadership is clear about which decisions the Trust Board retains
- Ensure that the role of the Headteacher is fully understood
- Promote a culture of honesty and accountability
- Identify responsibility for the appointment and performance management of the Headteacher
- Identify responsibility for policy and practice in the academy
- Identify responsibility for oversight of the academy's budget
- Identify responsibility for assessment of risk in the academy
- Identify responsibility for oversight of educational performance in the academy.

Single Academy Trust Structure



Key to Scheme of Delegation
Level 1: Members
Level 2: Academy trust board of trustees (FGB)
Level 3: Board Committees / Panels (e.g. Pay, Headteacher Appraisal)
Level 4: Individual trustee(s) (e.g. Working party, interview panel members)
Level 5: Headteacher (accounting officer)
Level 6: Governance Clerk
<p>✓  Decision to be taken at this level</p> <p>A Preparatory work, advice and support to those accountable for decision making <></p> <p>Direction of advice and support</p>

Governance structure and lines of accountability

The Board of Trustees delegates responsibility for the day-to-day running of the academy to the Headteacher. The Trustee Board holds the Headteacher to account for the academy’s performance. The Headteacher in turn holds other members of the senior leadership team (SLT) to account by line managing them. While the Board cannot ever delegate its accountability, it can delegate some of the detailed scrutiny, oversight and decision-making.

The Headteacher reports to the Board on the performance of the academy; that reporting is supplemented by the monitoring undertaken by the Trust’s Committees and Panels.

Roles and responsibilities

The role of the Members

The Members of Tregolls School – An Academy have a different status to its Trustees. Originally they were the signatories to the Memorandum of Association and agreed the Trust’s first Articles of Association (a document which outlines the governance structure and how the Trust will operate). The Articles of Association also describe how Members are recruited and replaced, and 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 so must be able to 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.

While Members are permitted to be appointed as Trustees, in order to retain a degree of separation of powers between the Members and the Trust Board, and in line with DfE expectations, not all Members should be Trustees. The DfE's strong preference is for at least a majority of Members to be independent of the board of Trustees. The DfE's view is that the most robust governance structures will have a significant degree of separation between the individuals who are Members and those who are Trustees. This advice is repeated in the Academies Financial Handbook, which says that there should be a "significant degree of separation between the individuals who are members and those who are trustees". Separation between Members and Trustees of the trust is a core topic of NGA guidance, which states "it is logical that members are different people to the trustees, for the simple reason that it is difficult to hold oneself to account." Members are not permitted to be employees of the academy Trust.

The role of the Trustees

The academy Trust is a charitable company and so Trustees are both charity Trustees and company directors. Because Trustees are bound by both charity and company law, the terms 'Trustees' and 'Directors' are often used interchangeably, along with 'Governors'.

The Board of Trustees is 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 the Trust's funding agreement, is legally responsible and accountable for all statutory functions, for the performance of the Trust, and
- Must approve a written scheme of delegation of financial powers that maintains robust internal control arrangements.

In addition the Board of Trustees must carry out the 3 core governance functions:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the executive to account for the educational performance of the Trust 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

The Board of Trustees has the right to review and adapt its governance structure at any time which includes removing delegation.

The role of the Trust's Committees and Panels

Committees and Panels have been established to carry out some of the Trust's governance functions which include making decisions; decisions made will be deemed decisions of the Trust Board. The membership and responsibilities of the Committees and Panels are set out in the Terms of Reference, which are reviewed annually.

The role of the Headteacher

The Headteacher has the delegated responsibility for the operation of the Trust.

The Headteacher 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 Headteacher leads the senior leadership team (SLT) of the academy Trust. The Headteacher will delegate management functions to the SLT and is accountable to the Trust Board for the performance of the SLT.

Other sources:

1. a) Academies Financial Handbook
2. b) Ofsted Framework (Governance)
3. c) Governance Handbook
4. d) Governors' Competency Framework
5. e) The Essential Trustee
6. f) The requirements of GIAS (Get Information About Schools)
7. g) Website requirements (NGA).

Acknowledgement:

This Scheme of Delegation draws upon the guidance models drawn up by National Governance Association (NGA).

Area	Decision	Delegation					
		Members	Board of Trustees (FGB)	Panel/ Committee	Individual Trustee(s)	Headteacher	Governance Clerk
Governance framework							
People	Members: Appoint/Remove	✓					
	Trustees: Appoint/Remove	✓	✓				
	Role descriptions for members	✓					
	Role descriptions for trustees/chair/ specific roles/committee members: agree		✓				
	Parent trustee – arrange process of election		✓				<A
	Clerk to board: appoint and remove		✓				
Systems and structures	Articles of association: review and pass resolution if an amendment is required	✓	<A			<A	<A
	Governance structure (committees/panel) for the trust: establish and review annually		✓				<A
	Terms of reference for trust panels/committees: agree annually		✓				<A
	Skills audit: complete and take appropriate action to fill gaps		✓				<A
	Annual self review of trust board and committee performance: complete annually		✓				<A
	Chair's performance: carry out 360 review periodically		✓				
	Trustee contribution: review annually		✓				<A
	Succession: plan		✓				
Annual schedule of business and meeting dates for trust board /committees/panels: agree		✓				<A	<A
Reporting							

Area	Decision	Delegation					
		Members	Board of Trustees (FGB)	Panel/Committee	Individual Trustee(s)	Headteacher	Governance Clerk
Reporting	Trust governance details on trust website: ensure						✓
	Register of all interests, business, pecuniary, governance of other educational establishments for members/trustees: establish and publish						✓
	Annual report on performance of the trust: submit to members and publish	✓	<A			<A	
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit	✓	<A			<A	<A
	To determine whether to publish a home school agreement (not statutory)					✓	
	Overall responsibility for ensuring that statutory requirements for information published on the school website, including required details of governance arrangements, performance, financial and equality data are met						✓
	To publish and update at least annually a SEND information report (meeting requirements set out in the Special Educational Needs and Disability Regulations)	✓				<A	

Area	Decision	Delegation					
		Members	Board of Trustees (FGB)	Panel/Committee	Individual Trustee(s)	Headteacher	Governance Clerk
Governance framework							

Area	Decision	Delegation					
		Members	Board of Trustees (FGB)	Panel/ Committee	Individual Trustee(s)	Headteacher	Governance Clerk
Being Strategic	Determine trust policies which reflect the trust's ethos and values including: admissions; expenses; data protection and FOI; SEND, safeguarding and child protection and curriculum, : approve		✓			<A	
	Determine trust staffing policies which reflect the trust's ethos and values including appraisal, capability, discipline, conduct and grievance: approve		✓			<A	
	Determine trust policy for complaints, health and safety, accessibility plan, premises management, data protection and FOI: approve		✓			<A	
	Establish trust policy for sex education, careers guidance					✓	
	Determine a behaviour and discipline policy that promotes good behaviour among pupils and defines the sanctions to be adopted where pupils misbehave		✓			<A	
	To draft content of school behaviour policy and publicise it to staff, students and parents.					✓	
	To annually determine admission arrangements and to carry out consultation where changes are proposed, or where the governing board has not consulted on their arrangements in the last seven yrs.		✓			<A	<A
	Ensure a broad and balanced curriculum is in place		✓			✓	
	To set the times of school sessions and the dates of school terms and holidays					✓	
	Agree enrichment/extra-curricular offer including any additional services required					✓	
Embed agreed curriculum and enrichment offer within the day to day operation of the academy trust					✓		

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		Members	Board of Trustees (FGB)	Panel/ Committee	Individual Trustee(s)	Headteacher	Governance Clerk
Being Strategic	To establish and agree a Pay policy		✓			<A	
	Management of risk: establish register, review and monitor		✓			<A	
	Engagement with stakeholders	✓	✓		✓	✓	✓
	Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓			<A	
	Headteacher: Appoint and dismiss		✓				
	To decide whether to join or form a multi-academy trust	✓	✓			<A	
	Budget plan to support delivery of trust key priorities: agree		✓			<A	
	Academy staffing structure: agree		✓			<A	
	Appoint teaching staff		✓		<A	<A	
	Appoint support staff		✓		<A	<A	

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		Members	Board of Trustees (FGB)	Panel/ Committee	Individual Trustee(s)	Headteacher	Governance Clerk
Holding to account							
Holding to account	Auditing and reporting arrangements for matters of compliance (eg safeguarding, H&S, employment): agree		✓		<A	<A	
	To produce and maintain a central record of recruitment and vetting checks					✓	
	To have due regard to the need to prevent people from being drawn into terrorism and to oversee the incorporation of the necessary procedures and practices outlined in the Prevent duty into the child protection policy		✓		<A	<A	
	Reporting arrangements for progress on key priorities: agree		✓			<A	
	Performance management of the Principal: undertake		✓				
	Performance management of staff: undertake					✓	
	Establish and review procedures for addressing staff discipline, conduct and grievance		✓			<A	
	Trustee monitoring: agree arrangements		✓				
	To review all permanent exclusions and fixed term exclusions where the pupil is either excluded for more than 15 days in a term or would lose the opportunity to sit a public examination.		✓				
	To ensure that health and safety regulations are followed					✓	
	Ensure that school lunch nutritional standards are met					✓	
	Maintain a register of pupil attendance					✓	
	To ensure provision of free meals to pupils meeting the criteria, including Universal Infant Free School Meals (if applicable)					✓	

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Ensuring financial probity							
Ensuring financial probity	Trust's scheme of financial delegation: establish and review		✓		<A	<A	
	Appoint Chief financial officer for delivery of trust's detailed accounting processes		✓				
	Trust's scheme of financial delegation: establish and review		✓		<A	<A	
	External auditors' report: receive and respond		✓			<A	
	Principal pay award: agree		✓	<A			
	Staff appraisal procedure and pay progression: monitor and agree		✓	<A		<A	
	Benchmarking and academy trust value for money: ensure robustness		✓			<A	
	Develop trust procurement strategies and efficiency savings programme		✓			<A	
	To approve the first formal budget plan each financial year		✓			<A	
	To agree annual action plans and monitor how school premiums are spent (i.e. the pupil premium)		✓				
	To establish and agree charging and remissions policy		✓			<A	
	Buildings insurance and personal liability: ensure in place		✓			<A	