



# Scheme of Delegation 2019

*Inspire to Aspire*

Responsibility:- Directors Board

Agreed on:- November 2019

Signed:- \_\_\_\_\_

To be reviewed: September 2020



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**Amendment Track**

<b>Amendment</b>	<b>Location</b>	<b>Amendment Date</b>
Expenditure limits added with responsible persons	Appendix 2 – Pg 9	October 2018
HoS column added to Appendix 2 – School payroll authorisation included	Appendix 2 – Pg 9	October 2018
<ul style="list-style-type: none"> <li>Group composition DGC – Added word minimum and removed word current to parent composition definition</li> </ul> <p>Now reads “ Min of 2 parents of pupils at the school”</p>	Appendix 1 – Pg7	April 2019
<ul style="list-style-type: none"> <li>Group composition DGC – Added additional criteria for staff governors following information gained through training</li> </ul> <p>Now reads Max of 1 support staff elected member Max of 1 teaching staff elected member</p>	Appendix 1 – Pg7	November 2019

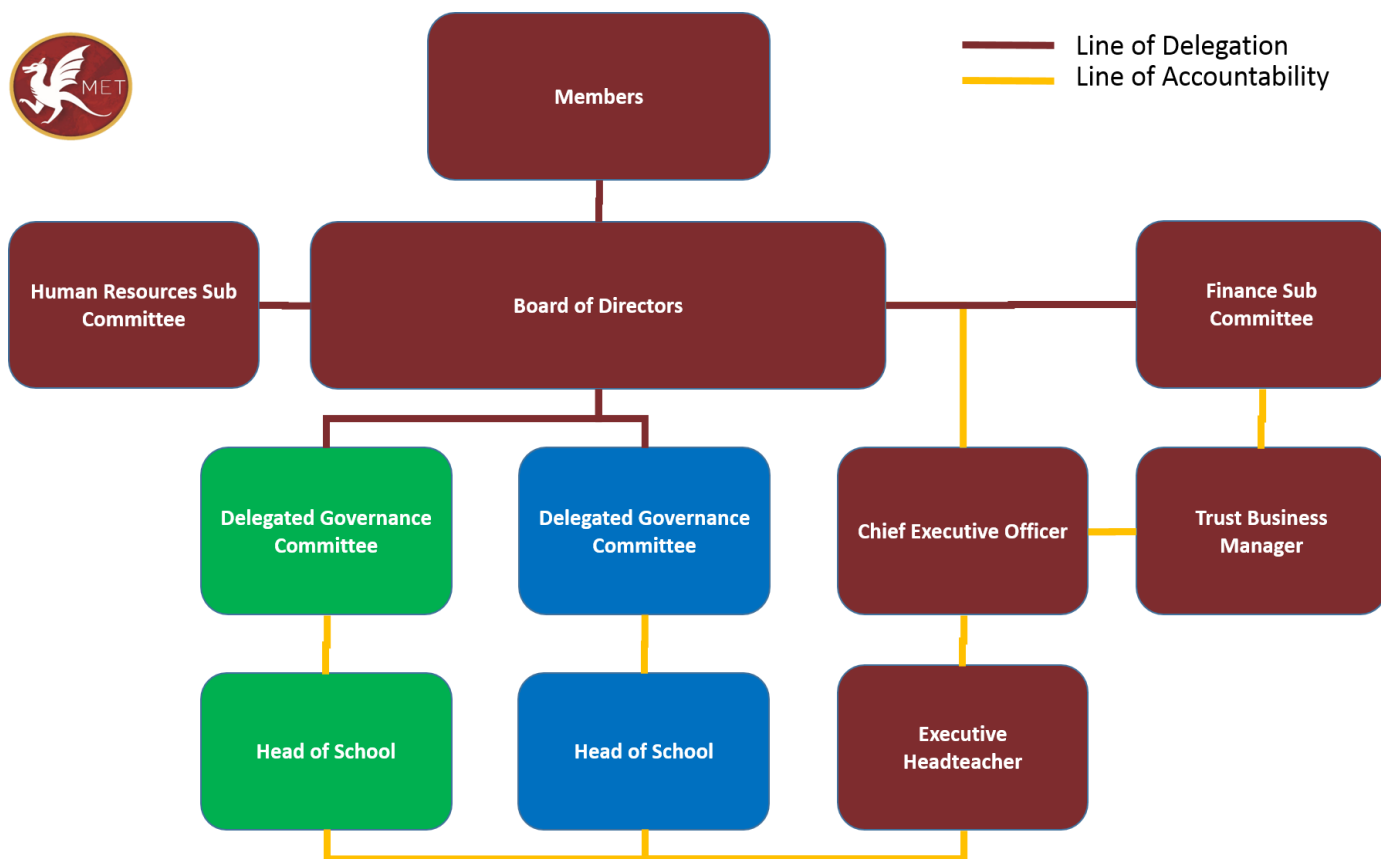


**Aims**

The following information ensures that Mercian Education Trust is compliant with charity and company law; MET Memorandum and Articles of Association; all other applicable legislation, and DfE and EFA requirements relating to the trust and its academies.

Mercian Educational Trust (MET) is the statutory body for all the schools within Mercian Educational Trust. The Secretary of State for Education has entered into an agreement with MET to run the schools in the Trust and therefore the MET Board is responsible for the standards and operation of all schools in MET.

**MET - Governance & Leadership Structure**



The composition criteria and requirements for each MET governance group can be found on [Appendix 1 - Mercian Educational Trust – Composition of Groups](#)

Details regarding Delegated Authority and Responsibilities can be found on [Appendix 2 - Scheme of Delegated Authority – Overview](#)

Further details regarding The Board, Board subcommittees and Delegated Governing Committees can be found within their Terms of reference

**Board of Directors - Purpose**

- Ensure the trust's compliance with charity and company law, its Memorandum and Articles of Association, all other applicable legislation, and DfE and EFA requirements relating to the trust and its academies.
- Ensure proper and regular use of public funds and compliance with the Funding Agreement.
- Ensure the trust is solvent, well run, and meets the needs of pupils and staff in its academies.
- Ensure the trust acts in accordance with its constitution and powers, promote the success of the trust, and exercise sound judgement and diligence in all its affairs.
- Ensure all directors are skilled in understanding, interpreting, and comparing school/academy performance data and are kept fully apprised of the performance of each academy at all times.
- Ensure all directors have the skills, knowledge, and information to assess the trust's financial performance.
- Ensure the CEO and all senior staff have the skills, knowledge, and experience to run the trust and its individual academies and to effectively manage its financial, human, and physical resources and assets.

**Board of Directors – Delegation of Responsibility**

The MET Board of Directors may delegate the authority to make certain decisions to a Delegated Governing Committee (DGC) or other committee and will appoint and approve the membership and proceedings of any DGC, with due regards to the requirements of MET.

The Board will consult Delegated Governing Committees before putting in place any arrangements which directly affect DGC's and individual academies and before taking any decisions on policy or procedural matters except where there is a legal requirement to do so.

MET board will put in place effective arrangements for monitoring and evaluating the performance of DGC's and academies. Should a DGC (or individual members within), fail to carry out their duties and responsibilities effectively, MET Board of Directors will take action, including the full or partial withdrawal of delegated authorities to individuals, groups and DGC's

Further details regarding Delegated Authority and Responsibilities can be found on [Appendix 2 - Scheme of Delegated Authority – Overview](#)

**Directors sub committees**

Sub committees provide effective scrutiny and analysis of performance within key trust areas that remain responsibility of The Board and report findings to the Board of Directors. The committees; Finance & Resources and Human Resources. Subcommittee composition is reviewed annually by The Board. Membership to the sub committees is determined by the skill requirements for the group.



## Board Retention of Powers

MET will be diligent to ensure it is rigorously compliant with government agencies to ensure secure future development.

Some key decisions cannot be delegated and must be taken by the MET Board. In these cases, the MET Board may still ask a person or a working group to consider issues and make *recommendations* to them, as long as the full MET Board takes the decision.

## Delegated Governing Committees (DGC)

The MET Board may delegate, or remove, such authority as it deems appropriate to a DGC but the MET Board remains collectively and personally responsible for every decision made by the DGC.

The MET Board will annually establish a DGC in each school, with agreed delegation arrangements. The delegation arrangements are kept under constant review and approved each year with regards to each member academy, (e.g. the first MET Board meeting in the autumn term). The Board will consider the delegation arrangements **at least annually**.

Each academic year the DGC shall:

- recommend its size and composition to the Board for approval
- recommend for Board approval one of its members to be Chair and Vice Chair of the DGC

Each academic year the Board shall:

- appoint the Chair & Vice Chair of the DGC
- satisfy itself that the DGC has the right balance of skills, knowledge and experience

DGC Purpose

## Interim Delegated Governing Committee (IDGC)

MET (“the Trust”) may from time to time stand down some or all members of a local governing body (“DGC”) and appoint an Interim DGC. Examples of the circumstances in which an interim DGC may be appointed are as follows (the list is not exhaustive):

- Identification of weak or failed governance at a Trust school.
- In response to the outcome of an annual review of governance or Ofsted inspection.
- In response to the outcome of an Ofsted inspection where there is a rating decline or a school moves into a category of serious weakness or requiring improvement.
- A sudden or unexpected dip in the School’s mid-term performance.
- Any identified safeguarding concern within the school.

The Trust Board will manage the process of implementing an Interim DGC in liaison with the Trust CEO and the School’s Headteacher. The main function of the Interim DGC will be to secure governance of the school,




developing a sound basis for improvement. The Interim DGC will be in place until the trigger is removed. The Trust does not adopt a one size fits all approach and is committed to appointing Interim DGC's which are small, focused groups. Members will be chosen on a case-by-case basis in accordance with the skills and knowledge and the needs of individual schools.


**Disbanding the Interim DGC**

The Interim DGC will be disbanded once the trigger for its appointment has been removed. This decision will be made at the right time for each individual school and only when stability has been restored and the Trust is confident about the progress of the school. A planned disbanding of the Interim DGC will take place alongside the induction of the newly formed DGC

Further details regarding the IDGC can be found within their Terms of reference

**Appendix 1 - Mercian Educational Trust – Composition of Groups**

	Members	Trustees / Directors Board	Trustee Sub Committee Finance & Resources	Trustee Sub Committee Human Resources	Delegated Governing Committee
<b>Group Size with voting authority</b>	5 – Current 7 - Desired	6 – Current 7 - Desired	3	3	9
<b>Quorate Min.</b>	3	3	3	3	6
<b>Group Size, inc non voting</b>	5	8	6	5	Varies in schools
<b>Length of Membership</b>	Indefinite	4 years	Annually Reviewed	Annually Reviewed	4 years (subject to annual review)
<b>Composition Requirements</b>	<p>Required within group</p> <ul style="list-style-type: none"> <li>the signatories to the Memorandum</li> <li>X2 members approved by Diocese (5f articles)</li> </ul> <p>Non-Voting / Advisory</p> <ul style="list-style-type: none"> <li>CEO (or equivalent)</li> </ul>	<p>Required within group</p> <ul style="list-style-type: none"> <li>X1 with skills within finance</li> <li>X1 with skills within HR</li> <li>CEO (or equivalent)</li> </ul> <p>Non-Voting / Advisory</p> <ul style="list-style-type: none"> <li>MET Finance Officer</li> <li>Executive Headteacher</li> </ul>	<p>Required within group</p> <ul style="list-style-type: none"> <li>X 1 with skills within finance</li> <li>X1 director</li> <li>CEO (or equivalent)</li> </ul> <p>Non-Voting / Advisory</p> <ul style="list-style-type: none"> <li>MET Finance Officer</li> <li>Executive Headteacher</li> <li>Co-opted associate director.</li> </ul>	<p>Required within group</p> <ul style="list-style-type: none"> <li>X 1 with skills within HR</li> <li>X1 director</li> <li>CEO (or equivalent)</li> </ul> <p>Non-Voting / Advisory</p> <ul style="list-style-type: none"> <li>Executive Headteacher</li> <li>Co-opted associate director.</li> </ul>	<p>Required within group</p> <ul style="list-style-type: none"> <li>Min of 2 parents of pupils at the school</li> <li>Max of 1 support staff elected member</li> <li>Max of 1 teaching staff elected member</li> <li>Min of 2 members of the local community who are not parents at the school</li> <li>the Head of School (or equivalent)</li> </ul> <p>Non-Voting / Advisory</p> <ul style="list-style-type: none"> <li>Invited Staff members</li> <li>Co-opted associate governors.</li> </ul>

	<b>Members</b>	<b>Trustees / Directors Board</b>	<b>Trustee Sub Committee Finance &amp; Resources</b>	<b>Trustee Sub Committee Human Resources</b>	<b>Delegated Governing Committee</b>
<b>Restrictions</b>	<ul style="list-style-type: none"> <li>No member shall be a MET employee.</li> </ul>	<ul style="list-style-type: none"> <li>No more than one third of the Board shall be MET employees.</li> <li>Co-opted Directors cannot be MET employees</li> </ul>	<ul style="list-style-type: none"> <li>No more than one third of the voting committee shall be MET employees.</li> </ul>	<ul style="list-style-type: none"> <li>No more than one third of the voting committee shall be MET employees.</li> </ul>	<ul style="list-style-type: none"> <li>no more than half of DGC shall be parents at the school</li> <li>no more than one third of DGC shall be elected staff governors</li> </ul>
<b>Additional Notes</b>	<ul style="list-style-type: none"> <li>See Academy Articles 6-18</li> </ul>	<ul style="list-style-type: none"> <li>See Academy Articles 45-98</li> <li>Co-opted Directors- Article 58.</li> </ul>	Academy Articles 100-101	Academy Articles 100-101	<ul style="list-style-type: none"> <li>Academy Articles 100-101</li> <li>Academy Articles 101A</li> <li>The Board may appoint any members to the DGC</li> <li>Ineffective DGC members can be removed by the Board</li> <li>Interim DGC can be implemented if The Board deem it necessary</li> </ul>
	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>Articles 68 to 74, Articles 77 to 79 and Articles 97 to 98 also apply to any member of any committee or delegate of the Trustees, including a Local Governing Body, who is not a Trustee.</li> <li>A skills audit will be completed annually to ensure the skills requirements for groups are met</li> </ul>			














**Appendix 2 - Scheme of Delegated Authority – Overview**

Key to Groups					
<b>Member</b>	<b>Board</b>	<b>BSC</b>	<b>FIN</b>	<b>HR</b>	<b>DGC</b>
Members Board	Full Board of Directors	Board Sub Committees	Finance & Resources BSC	Human Resources BSC	Delegated Governing Committee
<b>EHT</b>	<b>HOS</b>	<b>SBM</b>	<b>BH</b>	<b>CEO</b>	<b>TBM</b>
Executive Headteacher (Headteacher where no EHT is in Post)	Head of School (Headteacher where no HoS is in Post)	School Business Manager	Budget Holder	Chief Executive Officer	Trust Business Manager













Key Function	No	Task	Member	Board	BSC	DGC	CEO	TBM	EHT	HOS	SBM	BH
			1	2	3	4	5	6	7	8	9	10
Governance	1.	Approve changes to the Governance structure, Terms of Reference, Schemes of Delegation										
	2.	Approve changes to the Articles or Funding Agreement (with EFA approval sought)										
	3.	Appoint Directors										
	4.	Appoint the Chair and Vice Chair of the Board										
	5.	Appoint the Chairs of Committees										
	6.	Appoint the Chairs and Vice Chairs of DGC										
	7.	Approve the appointment of Academy Directors										
	8.	Appoint the Internal Auditor			FIN							
	9.	Approve the appointment of Company Secretary & Clerk										
	10.	Review performance of the Board										
	11.	Review performance of Board committees and DGCs										
	12.	Review committee membership to ensure each have a diverse and appropriate skill set										






















Key Function	No	Task	Member 1	Board 2	BSC 3	DGC 4	CEO 5	TBM 6	EHT 7	HOS 8	SBM 9	BH 10
Finance - Management	13.	Scrutinise all schools' budgets for the financial year			FIN							
	14.	Approve the overall Trust budget for financial year										
	15.	Review the Trust budget throughout the financial year			FIN							
	16.	Review all schools' budgets throughout the financial year			FIN							
	17.	Approve the appointment of external auditors										
	18.	Review and approve banking arrangements										
	19.	Approve use of school reserves			FIN							
	20.	Propose financial and procurement policies										
	21.	Approve financial and procurement policies			FIN							
Finance – Expenditure	22.	Minor emergency building repairs - Up to £500										
	23.	Equipment & Resources Orders Up to £5,000										
	24.	Equipment & Resources Orders From £5,001 and £10,000										
	25.	Equipment & Resources Orders From £10,001 and £25,000										
	26.	Equipment & Resources Orders From £25,001 - £100,000			FIN							
	27.	Equipment & Resources Orders Over £100,000										
Financer - Virements	28.	Approve changes between budget headings (virements) under £10,000										
	29.	Approve virements between £10,000 and £50,000										
	30.	Approve virements between £50,000 and £100,000			FIN							
	31.	Approve virements over £100,000										



Key Function	No	Task	Member	Board	BSC	DGC	CEO	TBM	EHT	HOS	SBM	BH
			1	2	3	4	5	6	7	8	9	10
Finance - Contracts	32.	Enter into contracts over £100,000										
	33.	Enter into contracts between £50,000 and £100,000			FIN							
	34.	Enter into contracts between £25,000 and £50,000										
	35.	Enter into contracts between £10,000 and £25,000										
	36.	Enter into contracts under £10,000										
Finance - Debts	37.	Write off of debts between £5,000 and £25,000			FIN							
	38.	Write off of debts between £1,000 and £5,000										
	39.	Write off of debts under £1,000										
Finance - Assets	40.	Approve disposal of assets over £25,000										
	41.	Approve disposal of assets between £5,000 and £25,000			FIN							
	42.	Approve disposal of assets under £5,000										
Payroll	43.	Approve overtime within delegated budget										
	44.	Approve staff expenses										
	45.	Approve monthly school payroll										
	46.	Authorise payroll provider to make payroll payment – following accuracy check by SBMs										








Key Function	No	Task	Member 1	Board 2	BSC 3	DGC 4	CEO 5	TBM 6	EHT 7	HOS 8	SBM 9	BH 10
Staff & Performance Management	47.	Appoint the CEO										
	48.	Appoint Headteachers										
	49.	Participate in appointment of Headteachers			HR							
	50.	Participate in appointment of Academy leadership			HR							
	51.	Performance review of CEO			HR							
	52.	Suspend the CEO										
	53.	End the suspension of CEO										
	54.	Suspend a Headteacher										
	55.	End the suspension of the Headteacher										
	56.	Dismiss the CEO										
	57.	Participate in performance review of Headteachers										
	58.	Propose HR policies										
	59.	Approve HR policies			HR							
	60.	Approve changes to school staffing structures including recruitment (within agreed budget)										
	61.	Approve changes to school staffing structures including recruitment (outside of agreed budget)										
	62.	Approve re-grading of job roles										
63.	Approve redundancies and staff restructures											
64.	Approve appointments of central Trust posts											
Performance & Curriculum	65.	Propose School Development Plan										
	66.	Review School Development Plan										
	67.	Approve School Development Plan										



Key Function	No	Task	Member 1	Board 2	BSC 3	DGC 4	CEO 5	TBM 6	EHT 7	HOS 8	SBM 9	BH 10
	68.	Review progress against School Development Plan										
	69.	Propose Trust Strategic Plan										
	70.	Approve Trust Strategic Plan										
	71.	Propose the school curriculum plan										
	72.	Review each school curriculum plan										
	73.	Approve the school curriculum plan										
Discipline / Exclusions	74.	Propose pupil behaviour policies										
	75.	Approve pupil behaviour policies										
	76.	Monitor implementation of pupil behaviour policies										
	77.	Exclude a pupil more than 15 days or permanently										
	78.	Review exclusion on appeal										
	79.	Direct reinstatement of excluded students										
Admissions	80.	Consult annually before setting an Admissions Policy										
	81.	Propose admissions policy										
	82.	Approve admissions policy										
	83.	Admissions: application decisions.										
	84.	Approve admissions prospectus										
Pre mis es & Insu ranc e	85.	Propose premises-related policies										
	86.	Approve premises-related policies			FIN							



Key Function	No	Task	Member 1	Board 2	BSC 3	DGC 4	CEO 5	TBM 6	EHT 7	HOS 8	SBM 9	BH 10
	87.	Propose school premises & capital strategy										
	88.	Approve a school premises & capital strategy			FIN							
	89.	Approve appropriate insurance cover for all schools in the Trust			FIN							
Health & Safety	90.	Propose a Health & Safety Policy										
	91.	Approve a Health & Safety Policy			FIN							
	92.	Monitor implementation of H&S Policy – Trust Level			FIN							
	93.	Monitor implementation of H&S Policy – School Level										
	94.	Develop a Risk Management Plan										
	95.	Approve a Risk Management Plan			FIN							
	96.	Report on Risks to Board			FIN							
School Organisation	97.	Approve times of school day and dates of school terms and holidays										
	98.											
	99.											
	100.											