



Every Child Matters Academy Trust
Children at the heart

Scheme of Delegation

2023-24

Introduction

The Every Child Matters Academy Trust's (The Trust) scheme of delegation has been developed by the Board of Trustees (The Board) to clarify the responsibilities and powers of Trustees, Governors and staff employed at the academies in respect of key aspects of the management of the Trust and its Academies and to ensure compliance with legal requirements.

In relation to financial matters, it should be considered alongside the Trust's Financial Procedures Manual which covers all financial delegations and the suite of policies through which it operates and further defines individual and collective roles and responsibilities. As such, they are not repeated here.

Throughout this document, the terms Chief Executive Officer (CEO) and Executive Head are interchangeable. However, as the Trust grows, it is envisaged that academies (in small clusters), will have their own Executive Head. At this point in time, roles and responsibilities of CEO and Executive Head will be distinct.

Guiding Principles of this Scheme of Delegation

1. The Trust is responsible to the Department for Education (DfE) for all its academies. The trustees have delegated responsibility for the three core strategic functions (strategic direction, holding the CEO / Executive Head and Heads to account for educational performance and overseeing the financial performance of the academies).
2. The Board of Trustees (The Board) and Local Governing Bodies (LGB) will work in collaborative partnership at all times. Where responsibility is delegated to a local level; LGB and / or Head of academy, it is the Trust as the legal entity that is ultimately accountable, for example in terms of finance and performance, and as the employer of staff.
3. Following consultation with LGBs, the Board will make decisions on matters which affect all academies in the Trust; however, subject to point 5 below, LGBs will make decisions on matters which affect individual academies.
4. Board wishes to explicitly focus on maintaining the individual character of its academies with strong and effective LGBs working closely to support their Heads to manage the academies i.e. ensuring they are as autonomous as possible and have as much freedom as possible (subject to point 5 below)
5. Following consultation with the Board regarding annual and longer term improvement priorities, LGBs and Heads will have maximum delegation of responsibility and decision making for the strategic direction and day-to-day operation of their academies *unless there is a cause for concern*¹.
6. Delegations cannot be exercised other than by the designated committee or individual unless otherwise directed or agreed by the Board.

¹ Cause for concern includes any academy with a *Requires Improvement* or *Special Measures* Ofsted category and any academy with performance, both academic and financial, showing cause for concern. In these situations, the Board will place restrictions on the delegated powers (full or partial withdrawal) of such academies until concerns are addressed.

7. The Board also delegates some of its authority to the Chief Executive Officer (CEO) who in turn may delegate authority to other trustees, whilst always retaining ultimate personal responsibility.
8. Where the Executive Head / Head delegates tasks to other members of staff, the Executive Head / Head remains accountable to the LGB and / or the Trust.
9. The Chair or, in the absence of the Chair, Vice-Chair has power to carry out functions of the Board or Local Governing Body in extreme circumstances where a delay in exercising a function is likely to be seriously detrimental to the interests of the Trust.
10. Governors do not incur any personal liability in respect of anything done honestly, reasonably and in good faith in exercising their power to spend an academy's budget share, or delegating that power to the Head. The LGB is accountable for all actions taken in its name by individuals to whom it has delegated functions.
11. Arrangements will be in place for the Board to effectively monitor and evaluate the performance of academies.
12. The Board can establish any committee; and the constitution, membership and proceedings of any of these committees are decided by the trustees. The establishment, terms of reference, constitution and membership of any committee must be reviewed every 12 months.
13. The Trust's preference is for LGBs governance arrangements to replicate the structure of the existing academies within the trust. However, providing the school is classed as Good or better and all governors' roles and responsibilities are effectively discharged, then LGBs will be responsible for the composition, membership, structure, and terms of reference for LGBs and sub- committees.
14. In the absence or incapacity of the Head, the LGB or, in the case of academies giving cause for concern, the Board of Trustees will delegate powers to an appropriate person.
15. Providing the school is classed as Good or better, LGBs will be responsible for arrangements for the recruitment and appointment of governors, and for the introduction of any changes in governance arrangements.
16. The Board will fully consult LGBs before putting in place any arrangements which directly affect individual academies and before taking any decisions on policy or procedural matters.
17. LGBs will report regularly to the Board and will make available all relevant data and information on performance in order that, where required, support plans can be introduced.
18. Following consultation regarding any of the above, the Board makes the final decision. For the avoidance of doubt, the Board may, at its discretion, exercise any of the powers delegated by this scheme to a committee or post holder.
19. This Scheme of Delegation should be reviewed annually.

Terms of Reference for the Board of Trustees (The Board) and its committees

The Trustees must agree a formal schedule of responsibilities reserved for their decision, i.e. those which should not be delegated within the Academies. Beyond this, the Trustees will establish separate committees, at Board level, to deal with specific areas of academies' business, and should determine the delegated responsibilities to be assigned to those committees. This will ensure that matters can be dealt with in appropriate detail and with sufficient frequency. The Board will establish a Resources Committee (incorporating areas relating to Finance, Audit, Risk Management, Buildings, Health and Safety and Human Resources) and a School Improvement Committee. In addition, it is a requirement for the Board to follow the same procedures as Maintained schools and, as such, The Board, when required, will establish sub committees for Pupil Discipline / Exclusions and Staff Discipline/Appeals. Heads' Performance management will be delegated to the Chair of the LGB, together with the Executive Head/CEO and guided by an external consultant.

Where the Board decides to delegate certain matters for consideration by its committees (including Local Governing Bodies (LGB)), the Board will ensure that it receives adequate feedback on the work of those committees and is able to formally consider their proposals. The establishment of committees does not absolve the Board of its overall responsibility to manage the Academies.

The terms of reference for each committee of the Board must be approved by the Board and reviewed annually in the Autumn Term (this may be as part of the annual review of this Scheme of Delegation).

The Chair of each committee is elected annually by the Board. No persons employed by the Academies will act as Chair of a committee. In the absence of a Chair or Governance Professional, the committee will elect a replacement from those present.

The committees will only operate within their particular areas of delegation.

Trustees/Governors are at risk of personal liability if they cause loss to the Academies by acting unlawfully, imprudently or outside the terms of the Academies' Terms of Reference

Governing Bodies will also establish subcommittees.

The Board

Membership

All trustees

The quorum for each meeting will be 3 (associate members excluded).

Term of Office- 4 years.

The Chair should be appointed annually at a Board meeting.

Professional Advisers to the Board of Trustees

The CEO of the Trust, Executive Head, the Business Director / CFO and any other member of staff with trust wide responsibilities, as appropriate and any additional advisers as appropriate.

Responsibilities Delegated to the Chief Executive Officer

The CEO has delegated powers and duties in respect of the overall leadership, management, and performance of the trust and responsibility for ensuring the implementation of agreed policy.

Organisation

Chair and Vice-chair appointed annually. A quorum of two thirds of the Board is required to appoint or remove trustees and remove the chair. To meet at least three times a year with additional meetings as required by the Board. Three trustees may requisition a meeting. Trustees will attempt to achieve a consensus on any matters brought before them. However; in the event that a formal vote is required this will be by show of hands with the Chair having a second or casting vote.

Immediately after the vote is taken, if any trustee requires it, there will be recorded in the minutes whether that person cast his / her vote in favour/against or abstained from voting.

Purpose

To ensure:

- the Trust's compliance with charity and company law, its Memorandum and Articles of Association, all other applicable legislation, and DfE and Education, Funding and Skills Agency (EFSA) requirements relating to the Trust and its academies;
- proper and regular use of public funds and compliance with the Funding Agreement;
- the Trust is solvent, well run, and meets the needs of pupils and staff in its academies;
- the Trust acts in accordance with its constitution and powers, promotes the success of the Trust, and exercises sound judgement and diligence in all its affairs;
- all trustees are skilled in understanding, interpreting, and comparing academy performance data and are kept fully apprised of the performance of each academy at all times.
- all trustees have the skills, knowledge, and information to assess the Trust's financial performance; and
- the CEO, Executive Head, Head and all senior staff have the skills, knowledge, and experience to run the trust and its individual academies and to effectively manage its educational, financial, human, and physical resources and assets.

Terms of Reference

Determine:

- the Trust's mission, vision, strategy and long term business plan, and approval of the same;
- key performance indicators and targets for the Trust and its academies: monitor the

Trust's performance against approved plans and key performance indicators and targets;

- the Trust's approach to, and approval of, trust wide policies and procedures for the operation and performance of all academies within the Trust;
- constitutional matters, including procedures where the Board has discretion; and
- to receive the Trust's annual budget approved by the Resources Committee and presented by the Business Director for review and acceptance at the start of each academic / financial year. This should include the level and use of contingency funds or balances.

Determine and establish arrangements and procedures for:

- Appointing trustees.
- Suspending and removing any trustee appointed by the Board when they are not fulfilling their duties or bring individual academies / the Trust into disrepute.
- Holding at least three Board meetings a year. The meeting held in November / December will approve the audited year end accounts, financial statements and accounting policies. These will be reviewed and accepted by the full Board at the AGM prior to submission to the Secretary of State (by 31 December) and filed with Companies House and the Charity Commission within stated timescales. Wherever possible, the presentation of audit matters will coincide with these meetings or will be held as required by the Trust. The External Auditor will attend as and when required and may request a meeting, if considered necessary.
- Appointing and removing the chair and vice chair of the Board.
- Appointing trustees to standing committees and ad-hoc committees.
- Appointing and removing the company secretary and Governance Professional.
- Ensuring that the trust's members are not current subject to a direction made under section 128 of the Education and Skills Act 2008 which prohibits individuals from taking part in academy trust management, and that a person who is currently subject to a section 128 direction is not appointed as a member.
- Maintaining and publishing a register of members, trustees, local governors, and senior members of staff and their business interests and putting in place measures for avoiding conflicts of interest.
- Suspending and removing any trustee / governor.

Determine and establish the committees of the Board and determine their terms of reference.

Determine which functions of the Board will be delegated to committees, LGBs (as appropriate), the Chief Executive Officer, Heads, groups and other individuals

Determine and establish arrangements for making available agendas, papers, and minutes of meetings of the Board and its committees and LGBs.

Receive reports from any committee, or LGBs, or individual, or group to whom a decision has been delegated and to consider whether any further action by the Board is necessary.

Make available for public inspection: the agenda for every meeting of the trustees, local governing bodies and committees; the approved minutes of each meeting; any report, document or other paper considered at each meeting. The trust may exclude from any item any material relating to : a named teacher or other employee or proposed employee; a named pupil or student at the academy, or candidate for admission or referral to it; any matter which,

by reason of its nature, the trustees are satisfied should remain confidential.

On request of ESFA, provide ESFA with written authority giving permission for any third party to provide any information and documentation to ESFA or its agents which ESFA considers relevant, where ESFA has concerns about financial management and/or governance at an academy trust, it may wish to obtain from third parties information or documentation about the trust for the purposes of its investigation.

The Board's Committees

Resources Committee

(incorporating Finance, HR, Audit, Risk Management, Buildings and Health and Safety)

Membership

- Chair of the Board
- Accounting Officer (AO)
- Business Director
- HR Trustee
- Finance representatives on the Board

The Chair should be elected annually by the committee.

The quorum for each meeting will be 3 (associate members excluded).

Timing

Meetings will be held at least once a term. The meeting held at the end of the summer term will approve the Trust's budget for the period of September to August, prior to review and acceptance by the Board and review and accept individual academy budgets approved by their LGB / Finance Committee.

Functions

Finance

1. To lead the development of strategic plans and provide leadership on financial issues.
2. To consider the Academies' annual indicative funding (as notified by DfE) and assess the implications for the Trust, in consultation with the Business Director and Heads, in advance of the academic / financial year. Any matters of significance should be drawn to the attention of the Board.
3. To agree the broad budget headings and areas of expenditure to be adopted each year.
4. To receive the Academies' proposed annual budget from the Business Director, for review and acceptance and inform the Board of outcomes in advance of the start of each academic / financial year. This should include the level and use of contingency funds or balances.
5. Following recommendation by the CEO and Business Director, determine the level of 'Top Slicing' from the academies' GAG funding in the lead up to setting the annual budgets
6. To receive, consider and approve (or reject) termly budget reports from the Business Director including virement requests, major variance reports, staffing costs, allocation of curriculum development costs and forecast operational costs. Submit termly overview report to the Board, highlighting any specific concerns as required.

7. To receive copies of the Trust's Development Plan(s) (and any subsequent updates) and review the financial implication of these. The plans should include detailed objectives, costs and success criteria for measuring success for the coming academic year and outline objectives for the following two years.
8. To annually review and approve the Financial Procedures Manual, ensuring that all the requirements of the Academy Trust Handbook are met. Report amendments to the Board, as required.
9. To monitor and review financial operation procedures to ensure effective implementation and operation and, where appropriate, to make recommendations for improvement.
10. To consider financial benchmarking and consider how financial performance could be improved.
11. To provide relevant financial information to other Trust Committees as required by them to make decisions on issues within their delegation.
12. To consider and approve (or reject) Reserve Spend requests.
13. To consider and give outline approval (or reject) for purchases greater than £50,000 (with ratification by the Board).
14. To prepare the financial statement to form part of the Annual report of the Board of Trustees, for filing in accordance with the Companies Act and the Charity commission requirements.
15. To ensure adequate insurance cover is in place to support all the Trust's responsibilities such as employers' liability, fidelity, building, Trustee's indemnity, public liability insurance etc.
16. To receive Audit reports and agree a plan to address any findings.
17. To review the Trust's Risk Register on, at least, an annual basis
18. To authorise disposal of asset(s) that originally cost more than £10,000 following a recommendation by the LGB including a plan for disposal and seek ESFA prior approval where appropriate
19. To receive an annual review / summary of all Service Contracting arrangements with a value of over £15,000.
20. To agree policy for Governors expense allowances.
21. Review bi-annually the Trusts' policies on fraud and whistle-blowing.
22. Consider (and approve) the Trust's charging and remissions policies.

Audit

1. Review the Academies' internal and external financial statements and reports to ensure that they reflect best practice.
2. Review the risks to internal financial control of the Trust / academies and establish a programme of work to address these risks so far as is possible, provide assurance to external auditors.
3. Review the effectiveness of the Trust's internal control system to ensure that the aims, objectives and key performance targets of the organisation are achieved.
4. Ensure that the Trust's internal control systems meet, or exceed, the standards specified in the Academy Trust Handbook and complies in all other respects with these guidelines.
5. Ensure the Trust is independently audited by an approved registered auditor.
6. Ensure that the Trust retenders its external audit function at least every five years and recommend to the Board the appointment (or reappointment) of the Trust's auditors, as required.
7. Ensure a copy of the auditor's letter of engagement is submitted to DfE with the annual accounts and Management Letter.

8. Respond to the Auditor's Management Letter and inform the Board of any significant issues.
9. Consider internal reports, including the Auditor's report (which includes RO function) and recommend to the Board action as appropriate to respond to findings.
10. Review the operation of the Trust's code of practice for Board members and code of conduct for staff.
11. Oversee Health & Safety issues to ensure compliance with the Trust's policy. Receive Health & Safety reports and recommend action to the Board as required.
12. Review annually the Trusts' delegation of financial responsibilities.
13. Consider any other matters where requested to do so by the Board.
14. Report at least once a year to the Board on the discharge of the above duties as required.

Risk Management and Business Continuity

1. Conducting a comprehensive risk assessment, approving a risk management policy, risk register and risk mitigation plan at Trust and academy level.
2. Ensuring all academies have in place an up-to-date and robust business continuity plan.
3. Approving a whistle blowing policy and keeping under review the adequacy and security of the trust's arrangements for its employees and contractors to raise concerns, in confidence, about possible wrongdoing in financial reporting or other matters.

Buildings, sites and ICT

Establish arrangements for developing, approving, implementing and reviewing:

- Improvement and maintenance plans for the trust's buildings, sites and ICT
- Estates management policy and plans.
- Plans for the purchase or disposal of any freehold property, and for granting or taking up of leasehold or tenancy of land or buildings.

To review these functions annually and propose any amendments to the Board.

Human Resources

Staffing

1. Ensure appropriate budgetary provision exists for any staffing changes.
2. Approve a recruitment pack for use within the Trust; including procedures and principles for internal and external appointments. Ensure that all local and national guidelines in respect of recruitment, equal opportunities and safer recruitment are met.
3. Approve job descriptions and conditions of service for senior staff.
4. Oversee appointments made by Heads within the approved staffing structure.
5. Produce for approval by the main Board, policies in respect of staffing reductions, including redundancy, early retirement and redeployment in accordance with policies recommended by the DfE.
6. Act as the first committee in respect of a need to reduce staffing in accordance with the redundancy procedure.
7. Recommend to the main Board the criteria to identify staff for compulsory redundancy where necessary.

Pay and Conditions

1. Review the pay policy annually for approval by the Board.
2. Recommend for approval, policies in respect of leave of absence, job share arrangements, assaults on staff, staff welfare, and where applicable relocation expenses.
3. Prepare for approval by the main Board, an appropriate appraisal policy as per the guidelines.
4. Ensure the Academy Trust demonstrates equality of opportunity and inclusion at all times.
5. Identify financial implications for the Board.

Training and Development

1. Review the Staff Training & Development policy annually.
2. Monitor trustees and governors training.
3. Ensure that trustees and LGB representatives involved in recruitment have undertaken the relevant training course and where possible have attended courses relating to personnel matters.

Personnel Functions

Ensure that procedures are in place to cover:

- HR
- Insights, strategy and solutions
- Organisational design and development
- Resourcing and talent management
- Learning and talent development
- Performance and reward
- Employee Engagement
- Employee relations
- Capability
- Service delivery and information
- Recruitment (including references and police checks);
- Performance appraisal and review;
- Equal opportunities;
- Disciplinary (including absence policies);
- Grievance;
- Staff expenses.

The Committee should also ensure that procedures are in place to ensure that employees of the Academies are paid for work done in accordance with their contracts of employment with the Academies.

Matters pertaining to Performance Management of Heads will be delegated, in the first instance to an external consultant, CEO and Chair of LGB.

Pay

The Board delegates the responsibility for pay awards in accordance with its Pay Policy.

School Improvement Committee

Membership

- Chair (a Trustee elected annually by the committee)
- 3 trustees including the Chair of the Board
- Heads (by invitation only)
- CEO

The chair should be elected annually by the committee.

The quorum for each meeting will be 3.

Timing

Meetings will be held once a term but additional meetings will be held if required.

Functions

1. To hold ECM academies to account with regards to the development of a “commonly designed curriculum from EYFS through KS2 and in line with the Trust’s Vision and strategy. This includes ensuring that developments are informed by local stakeholder consultation, including the views of pupils/students, families and local community representatives as appropriate.
2. To hold Trust academies to account with regards to planning, strategies and interventions developed to improve results and achievements. To termly monitor the impact of actions taken by the individual academies and moderate their judgements.
3. To receive and review designated Trust wide policies and strategies for curriculum, teaching, learning and assessment, ensuring these are aligned with local policies as appropriate.
4. To monitor the progress, attainment and achievement of the Trust’s pupils from EYFS to KS2, ensuring that targets set in partner academies have the potential to transform education.
5. To receive an overview of improvement plans at individual academy and trust level and to evaluate and challenge the support provided by the trust.
6. To monitor progress towards the development of a Trust wide Academy Plan reviewing this on an annual basis once reviewed and accepted.
7. To strategically ensure that curriculum developments across and within Trust academies are developed with reference to national and international developments, to ensure that the provision has the potential to promote engagement and achievement for pupils.
8. Review and monitor progress towards the achievement of personalised learning for the Trust’s pupils, based on flexible provision and progression, in line with the Trust’s vision and policy.
9. To make recommendations to the F&GP committee regarding spending on curriculum-related matters, seeking information and advice from LGBs to ensure these recommendations were evidence based and reflect needs within partner academies.
10. To recommend adoption or amendment of the curriculum policy statement (as per DfE guidelines) ensuring this happens both at Trust and LGB level.
11. Consult on a Trust wide Sex Education policy.
12. Consult on any other Trust wide policies that relate to the scope of work undertaken by this Committee as required e.g. school visits, Gifted and Talented policy, attendance policy etc.
13. Consult on Trust wide codes of conduct and behaviour policies.
14. Ensure no discrimination on the grounds of sex, race, disability, sexual orientation, religion or belief against a child seeking admission and for existing pupils, as per policy.
15. To review these functions annually and propose any amendments to the Board.

Ad Hoc Hearing and Appeal Committees

Purpose

To form first hearing and/or appeal committees for relevant matters as and when required.

Terms of Reference:

- To make any decisions under the Board's personnel procedures e.g. disciplinary, grievance, capability, redundancy hearings and appeals where the Executive Head / CEO is the subject of the action.
- To make any decisions under the Board's personnel procedures e.g. disciplinary, grievance, capability, redundancy hearings and appeals relating to any member of staff with trust wide responsibilities other than the CEO (unless delegated to the CEO).
- To make any appeal hearing decisions under the Board's personnel procedures e.g. disciplinary, grievance, capability, redundancy appeals- relating to academy Heads.
- To make any decisions relating to complaints about the operation of academies in line with the Trust's Complaints Procedure.
- To report the outcome of all hearings and appeals to the Board.

Membership – The members of Hearing and Appeal Committees shall be appointed by the Board and shall be made up of at least 3 Trustees. No person may sit on both committees.

Disqualification – The Chief Executive Officer and any trustee with any direct involvement in the focus of any grievance, disciplinary, or capability, redundancy, or any other relevant matter.

Organisation- Chair appointed for each hearing/appeal hearing by the Board. Terms of reference, membership, and constitution-to be reviewed annually. Quorum: 3

Professional Advisers to the Committee- HR advisers and any additional advisers as appropriate.

Terms of Reference for Local Governing Bodies (LGBs) and their Sub-committees

These terms of reference are based on the principles of maximum delegation of responsibility and full operational autonomy to the LGB and the Head for the strategic direction and day-to-day operation of the academy - with the Board making decisions, following consultation with LGBs, on matters which affect all academies in the Trust or where intervention is required to improve performance as judged by the Board.

Composition and Membership of the LGB - Academies may keep their current composition and membership of the LGB.

LGB and Standing Sub-committee Structure- LGBs will be responsible for the composition, membership, structure, and terms of reference for LGBs and sub- committees. Where required the Trust will recruit governors to strengthen the LGB and identify development opportunities to strengthen the skills set of the LGB.

Ad-hoc Hearing and Appeal Sub- committees- LGBs may establish ad-hoc sub-committees as they see fit except for matters related to the Head.

Terms of Reference for the LGB and Standing and Ad-hoc Sub-committees -The recommended terms of reference for LGBs are set out in this document.

LGBs are required to work within the policy framework set by the Board although there will be some non-statutory policies that may be tailored by an LGB to the specific needs of its academy. LGBs will use this policy framework to monitor effectiveness and hold the Head to account. These functions are usually carried out in sub-committees. For illustrative purposes the responsibilities that LGBs are required to exercise are described in two standing sub-committees – Personnel and Curriculum and Finance and General Purposes.

This sub-committee structure has benefits in that opportunity is provided for several governors to exercise leadership by chairing the sub-committees; more members of the senior leadership team can perform a leading role in providing advice to the sub-committees and closer relationships can be forged between sub-committee chairs and senior leaders. LGBs must ensure that its sub-committees discharge their responsibilities.

Sub-committees are required to meet at least termly but it is not appropriate for all responsibilities to be reviewed at every sub-committee meeting - for example it would be pointless to review attainment before the results of examinations or assessments are available.

A Local Governing Body (LGB)

Purpose

The LGB's role is to exercise leadership on behalf of the Trust in the running of an individual academy and to provide information to the Trust on the operation and performance of the academy and to exercise its responsibilities and powers in partnership with the Head, staff, and the Board of Trustees.

Working within Trust policies and guidance, the LGB and the Executive Head / Head have full delegated responsibility for the strategic direction and day-to-day leadership and management of the academy.

Each LGB has a key role to play in the overall development and success of the Trust and in contributing to joint working and sharing best practice between academies in the Trust.

In line with the overall vision, strategy, ethos, and broad policy framework of the Trust, the LGB will:

- Help the academy to set high standards by planning for the academy's future, set the direction for the academy and agree targets for improvement, monitor and evaluate its performance.
- Be a critical friend and hold leaders to account for the pace and rate of improvement and the achievement of all pupils.
- Set the academy's standards of conduct and values.
- Ensure sound management and administration of the academy and ensure all staff have the appropriate qualifications, skills, experience, and training to carry out their duties.
- Ensure compliance with all financial, statutory and regulatory requirements.
- Help the academy respond to, and meet, the needs of parents and the wider local community.
- Ensure all governors are skilled in understanding, interpreting, and comparing academy performance, attendance, admissions, and exclusions data and are kept fully apprised of the performance of the academy at all times.
- Ensure all governors have the skills, knowledge, and information to assess the academy's financial performance.

Terms of Reference

Governance

In consultation with the Board of Trustees, determine and approve the academy's strategic and long term development plan (ensuring it provides a strategic fit with the Trust's overall mission, vision and development plan).

Ensure that the academy contributes significantly to the overall development and success of the Trust.

In consultation with the Board of Trustees determine key performance indicators and targets for the academy.

Approve the academy's development/improvement plan. Monitor overall performance and the achievement of objectives, targets, and key performance indicators, and ensure that plans for improvement are acted upon. Provide progress reports and all required data to the Board of Trustees in order that interventions can be made as required.

Following consultation, adopt and ensure the implementation of trust-wide policies and procedures.

Determine and approve framework and academy specific policies and procedures, monitor their implementation, and evaluate their impact.

Determine any other constitutional matter in which the LGB has discretion.

In line with the Trust's governance arrangements, policies and procedures, and scheme of delegation for the academy:

- Hold at least three LGB meetings and at least three meetings of each sub-committee a year.
- Make arrangements for the election/appointment of parent and staff governors; appoint these governors in line with the Trust's arrangements and procedures.
- Appoint a clerk and implement clerking arrangements in line with the Trust's requirements.
- Maintain and publish, through the clerk, a register of governors' and senior members of staff's business interests and adhere to procedures for registering and managing conflicts of interest.
- Establish standing and ad-hoc sub-committees. Appoint the chairs of the sub-committees.
- Delegate functions of the LGB to sub-committees, groups, and individuals as per the terms of reference set out by the Trust.

Carry out and report on all duties and responsibilities delegated to the LGB by the Board.

Ensure the academy complies with legal and statutory requirements.

Receive reports and recommendations from any sub-committee, group, or individual to whom an action or decision has been delegated to agree the recommendation, ratify the decision, or consider whether any further action by the LGB is necessary.

Review the effectiveness of delegation arrangements annually.

Appoint governors with specific responsibilities for example, for special educational needs and disability (SEND) and in line with any statutory requirement.

Publish papers, minutes of meetings of the LGB and its sub-committees.

Advise the Board of Trustees of any concerns about the running of the academy that cannot be resolved by the LGB and of any suspicions of fraud and irregularity.

Membership- the list of current governors can be found on the Academy's website. New/replacement governors will be appointed/elected in line with the Trust's policy and procedures. The LGB may recruit and appoint, as it sees fit, "*associate governors*" to provide specialist advice to the LGB and/or a sub-committee if required: "*associate governors*" may not vote. The LGB appoints the Chair and Vice Chair of the LGB annually. The committees appoint their Vice- chair and Chairs annually.

Term of Office- 4 years. The Head holds office ex-officio as long as he/she is in post. Governors can be re-elected or re-appointed.

Organisation- Terms of reference, constitution, and membership is to be reviewed annually. Quorum: more than a third of governors eligible to vote (one vote per governor). The Chair has a casting vote.

The Head and Executive Head / Chief Executive Officer, or their deputies, have the right to attend all meetings of a LGB and its sub-committees.

Professional Advisers to the Local Governing Body

The Head of the academy, the Business Manager, the Executive Head, CEO of the Trust, the Business Director (CFO) and any other member of staff with trust wide responsibilities and any additional advisers as appropriate.

Responsibilities Delegated to the Head

The Head has delegated powers and duties in respect of the overall leadership, management, and achievement of the academy and responsibility for ensuring the implementation of agreed policy.

Finance Sub-committee of a Local Governing Body

Purpose

In line with the Trust's arrangements; monitor, evaluate, and report to the LGB on the implementation and impact of the academy's financial and general purposes (including risk) related policies.

Ensure the academy complies with all matters of regularity, propriety, and value for money in the use of its delegated budget.

Ensure the academy complies with all legislation and effectively implements the Trust's policies and procedures relating to risk management, health and safety, maintenance and use of its buildings and site (non PFI), ICT.

Ensure the Trust's powers and duties delegated to the LGB and to the Head and other senior staff for financial management and controls, identification and management of risk, procurement of goods and services, maintenance and security of the buildings and site, ICT, data, and health and safety are properly carried out in accordance with the scheme of delegation.

Terms of Reference

Financial and Risk Management

Effectively manage the academy's financial and physical resources and assets and identify and take action to mitigate risk (in particular control over the spending identified in the academy's development/ improvement plan).

Monitor and report on the academy's implementation of the Trust's financial management arrangements, policies, and procedures and scheme of financial delegation and financial authorities.

Approve the academy's annual budget, present to the LGB for noting and submit to the Trust's Resources Committee for review and acceptance. Once approved, monitor spend at each meeting and authorise virements in line with the scheme of delegation.

Receive reports from the Head, and the Business Manager, and internal audit on the financial management, end of year position, controls, systems and procedures in the academy. Receive recommendations made to the LGB, and take action to implement any improvements or remedial action required.

Ensure staff and governors are aware of the Trust's whistleblowing procedure and report any suspicion of irregularity or fraud to the Head, LGB, Executive Head, CEO, Business Director or the Board as appropriate.

Monitor the management and procurement of goods and services in line with the Trust's procurement policy and procedures.

Authorise the writing off of debts and disposal of assets in line with the Trust's scheme of delegation: ensure the academy establishes and maintains an up-to-date list of contracts and an inventory of appropriate equipment and furniture.

Make proposals for bidding and use of capital funding for the academy to the Board.

Buildings and Site, Health and Safety, and ICT

Ensure full compliance with all health and safety and data protection, information and security legislation.

Ensure the academy's health and safety and security policies are fully implemented and health and safety and security issues are appropriately prioritised for action and staff are adequately trained. Monitor the academy's compliance and report to the LGB. Take action to secure improvement.

Ensure the trust's ICT, data protection and freedom of information policies and procedures, good practice guidelines and insurance requirements are implemented. Monitor the academy's compliance and report to the LGB and, where required, take action to secure improvement.

In consultation with the Head, Business Manager, Business Director and CEO, and within budget constraints, plan and recommend a programme of maintenance and building improvement to the LGB and implement a programme of building and site maintenance and improvement.

Key Performance Indicators and Targets

Support and monitor the attainment of key performance indicators and targets within the remit of the sub-committee.

Policies, Procedures, and Plans

Develop and/or regularly review and evaluate the effectiveness of all trust-wide, framework, or academy specific policies and procedures within the remit of this sub-committee.

Membership

A minimum of 3 governors.

The LGB appoints the chair of the sub-committee annually.

Term of Office- 4 years. Governors can be re-elected or re-appointed.

Organisation- Terms of reference, constitution, and membership are to be reviewed annually. Quorum: 3. The Head and Executive Head, CEO, or their deputies, have the right to attend all sub-committee meetings.

Professional Advisers to the Sub-committee- the Head of the academy, senior staff with responsibilities within the remit of the sub-committee, the Business Manager, the Executive Head, CEO and the trust's Business Director and any additional advisers as appropriate.

Personnel and Curriculum Sub-committee of a Local Governing Body

Purpose

In line with the Trust's arrangements monitor, evaluate, and report to the LGB on the implementation and impact of the academy's policies and plans on:

- Curriculum - the academy's curriculum and teaching and learning on targets and pupil/student attainment, achievement, standards
- Personnel - the recruitment, retention, development and wellbeing of staff.

Terms of Reference

Personnel

Ensure Trust related policies and procedures are implemented, particularly procedures for addressing staff discipline, conduct and grievance and procedures for dealing with allegations of abuse against staff, and a Central record of recruitment and vetting checks is in place and monitor and report to the LGB and the Board on their suitability and impact.

Establish and annually review the staffing structure and establishment in line with the academy's curriculum plan and budget for approval by the LGB.

Ensure the Trust's guidelines and best practice are followed in all recruitment procedures particularly those relating to the safeguarding and promoting the welfare of children.

Ensure all staff appointments are in line with the staffing establishment and the scheme of delegation. Monitor compliance.

Curriculum

Recommend to the LGB targets for educational attainment and standards. Monitor and report to the LGB on the achievement of targets and pupil/student progress and provide reports for the Board.

Review and recommend to the LGB for approval the academy's curriculum policy and development/improvement plan.

Support and challenge the Head and senior leadership team to continually improve outcomes with referral to the LGB / Board as required.

To follow Trust policy to ensure the sufficiency and adequacy of data and information relating to standards and attainment.

Once policies, procedures and plans are approved by the LGB / the Board; monitor, evaluate and report progress to the LGB/Board on:

- The effectiveness of the academy's leadership and management, curriculum policy and the quality of teaching and learning and their impact on pupil/student progress and outcomes.
- The academy's compliance with statutory requirements relating to the curriculum, including RE/ collective worship, SEN, sex education and Early Years Foundation Stage (EYFS), as appropriate, and for looked after children (LACs/ CLA).
- The effectiveness of policies and provision for pupils/students with additional or special educational needs, and other needs and the impact of targeted funding e.g. pupil premium on pupil/student progress and attainment.
- The resources required to deliver the curriculum and extracurricular activities and secure improvement in each academy. Assess the impact of academy improvement services and

support, and the professional development of staff (CPD) on pupil/ student outcomes. Assess the impact of extracurricular activities on pupil/student attainment.

- The quality of the academy's premises and the learning environment and their fitness for purpose: establish and implement, working with the Head and Business Manager (Business Director / CEO if required), a programme of improvement within funding constraints.
- Preparedness for Ofsted inspections.

Key Performance Indicators and Targets

Support and monitor the attainment of key performance indicators and targets within the remit of the sub-committee.

Policies, Procedures, and Plans

Develop and/or regularly review and evaluate the effectiveness of all trust-wide, framework, or academy specific policies and procedures within the remit of this sub-committee.

Membership

A minimum of 3 governors.

Term of Office- 4 years. Governors can be re-elected or re-appointed.

Organisation- Terms of reference, constitution, and membership are to be reviewed annually. Quorum: 3. The Head, Executive Head and CEO, or their deputies, have the right to attend all sub-committee meetings.

Professional Advisers to the Sub-committee- the Head of the academy, senior staff with responsibilities within the remit of the sub-committee, the Executive Head, CEO, the trust's Business Director and any additional advisers as appropriate.

Pay Sub-committee of a Local Governing Body

Purpose

Review the pay of all staff, except the Head, annually in line with the Trust's pay policy and advise the LGB. Once agreed, ensure changes are enacted.

Terms of Reference

The committee will have full powers to make recommendations/decisions within the Trust's pay policy.

- To apply the criteria set by the Trust's Pay policy, including linkages with the Trust appraisal policy, in determining the pay of each member of staff
- Apply the criteria of the pay policy consistently when determining pay for each member of staff in the annual review
- To observe all statutory and contractual obligations. To ensure that the policy complies with the most recent School Teachers' Pay & Conditions document
- To make sure the pay and appraisal policy is being applied fairly and consistently and that the policies are designed to tackle under performance robustly and early on
- Every teacher's salary must be reviewed annually, with effect from 1st September. A written statement of pay must be sent to each teacher by 31st October each year.
- To ensure that staff know the procedure for making an appeal against pay decisions
- No governor may participate in discussions leading to recommendations/decisions in which he/she has a pecuniary or business interest.
- Pay decisions are recommended to the Pay Committee by the Headteacher and the final decision is with the Pay committee. In particular, advice will be sought regarding discretionary payments, including:
 - The award of teaching and learning responsibility payments, special needs allowances and incentives for recruitment and retention;
 - the award of any exceptional points resulting from performance review;

Membership

Three governors.

Term of Office- 4 years. Governors can be re-elected or re-appointed.

Organisation- Terms of reference, constitution, and membership are to be reviewed annually. Quorum: 3. The Heads must attend all meetings of the Committee. The Executive Head and CEO, or their deputies, have the right to attend all committee meetings.

Professional Advisers to the committee- the Head of the academy, senior staff with responsibilities within the remit of the sub-committee, the Executive Head and CEO.

Ad-hoc Hearing and Appeal Sub-committees of a Local Governing Body

Purpose

To form **first and appeal** sub-committees for relevant staffing, admissions, exclusions, and complaints matters.

Terms of Reference:

In line with personnel policies for academy based staff:

- To make any decisions of a first committee under the Trust's personnel procedures e.g. disciplinary, grievance, capability, redundancy hearings; where the Head is the subject of the action.
- To make any decisions under the Trust's personnel procedures e.g. staff appointments and disciplinary, grievance, capability, redundancy hearings and appeals relating to any member of staff other than the Head (unless delegated to the Head).

In line with the Trust's complaints procedure, make any decisions regarding complaints which are referred to the LGB.

Membership - Members of Hearing and Appeal sub-committees shall be appointed by the LGB and shall be made up of at least 3 governors. No person may sit on both sub-committees dealing with the same matter.

Disqualification – The Head and any governor with any direct involvement in the focus of any grievance, disciplinary, capability, redundancy, or complaint matter.

Organisation- A Chair is appointed for each hearing or appeal sub-committee by the LGB. Terms of reference, membership, and constitution are to be reviewed annually.

Quorum: 3

Professional Advisers to the Sub-committees- CEO, the Head, HR adviser and any additional advisers as appropriate.

N.B. Anyone involved in the initial complaint/investigation cannot be a party to the Appeals Committee

Every Child Matters Academy Trust Scheme of Delegation

Key:

Board Level	The Board, Resources Committee, Chief Executive Officer (CEO)
Academy Level	Local Governing Body (LGB); Finance and General Purposes Committee (FGPC); Executive Head, Head, Deputy Head, Business Manager (BM), Finance Officer (FO)
Business Director	Business Director (BD)

Finance

1. Accounting Policy and Procedures

Ref.	Responsibility	Roles	Comment
1.1	Adhering to ESFA and statutory financial requirements	Resources Committee approves all accounting policies and procedures	Auditors are consulted on financial policies to ensure compliance
		BD recommends policies to the Board via Resources Committee	
1.2	Implementing and maintaining a robust system of internal control to minimise risk	Resources Committee reviews termly audit reports from Internal Audit and confirm appropriate action to address findings is taken	
		BD designs systems of internal control for incorporation in the Financial Procedures Manual (FPM)	
1.3	Ensuring policies and controls are followed	Resources Committee receives and reviews internal audit reports on compliance	Internal auditors visit each academy once a term. Where BD has taken action to remedy non-compliance, IA will make follow up visit to check on compliance
		F&GPC receives and reviews internal control reports from internal auditor and takes appropriate action	
		Head receives copy of audit report and updates F&GPC on action to address	
		BD receives audit reports from internal auditor and takes action to remedy non-compliance with policies and procedures	
1.4	Maintaining accounting records as required by statute	Resources committee receives and reviews summary budget monitoring reports for schools and full report for the Trust's budget	The review of income and expenditure against budget in the monitoring reports and the control account reconciliations will highlight possible errors and omissions in the records so that they are rectified in a timely fashion
		FGPC receive and review budget monitoring reports termly. Head / BM reports on financial progress to FGPC	
		BD, in consultation with Head, reviews budget monitoring reports	
		Finance Officers check that all control accounts are reconciled	

2. Safeguarding Assets

Ref.	Responsibility	Roles	Comment
2.1	Arranging security of physical assets such as buildings, furniture, equipment, stock, stores and cash.	BM oversees security of physical assets and site in consultation with BD, ENGIE (PFI schools) or Premises Manager (non-PFI) Each school has a tailored Building Security policy	
		FO checks cash reconciliations	
2.2	Maintaining an inventory of all high	IT technician to tag all assets and FOs control issues and allocations.	Procedures for recording and checking are

	value or attractive movable items of equipment and security marking such items.	BM oversees FOs maintaining financial records and reconciling these to the inventory	summarised in the FPM
2.3	Checking annually the inventory to verify the location and condition of each item of equipment.	F&GP will receive and review the internal auditors report on material losses and discrepancies. IT technician physically checks assets and, through FO, updates records accordingly. FOs amend financial records to reflect losses and disposals. Internal auditor reviews all material losses and discrepancies.	
2.4	Authorising the disposal of unusable or obsolete equipment included in the inventory and ensuring that the best value is obtained on disposal	Resources Committee authorises disposal of any asset that originally cost more than £10k following a recommendation by the LGB including a plan for disposal (e.g. sale, scrap). FO prepares lists of items recommended for disposal. LGB approves up to a value of £10k when acquired FOs amend financial records to reflect disposals	ESFA prior approval via the Board is required for any disposal at less than the best price that can be reasonably obtained.
2.5	Maintaining a record of all property borrowed by staff.	Head ensures that FO record issues and returns of property	All issues and loans are signed for by staff All staff must return any issued equipment when they leave the academy
2.6	Protecting the Trust's assets	The Resources Committee approves the anti-fraud and whistleblowing policies and procedures LGB and Head ensures staff are made aware of the policies	

3. Audit

Ref.	Responsibility	Roles	Comment
3.1	Appointing auditors	Resources Committee appoints auditors – appointment confirmed by members at AGM	Internal auditors must be independent and objective. Internal scrutiny must not be performed by the trust's own CEO, CFO or other members of the senior leadership team or finance team
3.2	Making records and documents available for inspection by the External Auditors	Clerk to the LGB will make copies of the minutes of all meetings of the LGB and its Committees available if required. BD provides auditors with any explanations required that cannot be dealt with by BM/FO BM prepares all information required for statutory disclosure and ensures records are in order for inspection	There is a legal obligation to supply auditors with such information and explanations as they may require
3.3	Receiving the reports and management letters from audit inspections and implementing any recommendations	Resources Committee receives reports and, ensures through the BD, that findings are addressed in a timely fashion. BD ensures findings against each school are addressed LGB receives and reviews auditors' reports and	Internal and external auditors may issue reports and recommendations after their visits and audit work

		recommendations and puts actions in place to address	
		BM, supported by the Head, responds to points raised by auditors in report for the governing body	
		BM prepares detailed plans for implementing recommended changes.	
3.4	Receiving annual audited accounts	The Board accepts the audited accounts	
		Auditors present the audited accounts to the Board	
3.5	Receiving internal auditor's reports	Resources Committee reviews academy report if it is identified as exceptional by internal auditor	
		FGPC receives internal auditor's report on the academy	
		BM receives report and, together with the Head, prepares response to points raised	
		BD reviews internal auditor's report and implements changes to procedures if required	
3.6	Trustees' Report and Governance Statement	Board approval	
		BD presentation to the Resources Committee and Board	
		BD Prepares the Trustees' Report and Governance Statement for incorporating in the Annual Report and Accounts	

4. Budget – Financial planning, budgeting, monitoring and reporting

Ref.	Responsibility	Roles	Comment
4.1	Determining the level of 'Top Slicing'	Annually, at the time of setting the budgets, the Resources Committee, following a recommendation by the CEO and Business Director, will determine the level of top slice up to a maximum of 5% to cover central support costs. Sponsored academies may be required by the Board, on the recommendation of the Resources Committee, to contribute up to an additional 2 % points.	Top slicing is the% contribution made by academies to the Trust's central costs.
4.2	Overseeing the preparation of the annual budget to reflect the priorities established by the Academy Improvement Plan (AIP)	Head sets objectives to reflect AIP BM, together with Head and BD, drafts budget to reflect Head's instructions and ensures adequate reserves are held.	The budgets to include details of the academies' capital plans
4.3	Approving the final budgets	The Board reviews and accepts the Trust's budget as approved by the Resources Committee The BD and CEO present the Trust's budget to the Resources Committee for approval Resources Committee reviews and accepts the budgets approved by each school BD presents each approved academy's budget to the Resources Committee for review and	Governors should approve a balanced budget for the year unless reserves are used.

		acceptance.	
		Following a detailed review of the academy's budget the F&GPC approves the budget (and notifies the LGB). The budget is then recommended to Resources Committee for final review and acceptance through the BD.	
		The BM, together with the Head, presents the proposed budget to F&GPC for approval	
4.4	Notifying the approved budgets to ESFA within the required timescale	BD submits consolidated budget in the required format: Budget Forecast Return (BFR) (including 3 year forecast) in July	BD will issue a budget timetable to meet the ESFA reporting deadlines
4.5	Monitoring actual year to date position, income and expenditure against budget and explaining variances	The Trust's financial monitoring report together with summary reports for schools are reviewed by the Resources Committee each term. A summary of the Trust's report is presented to the Board. BD, in consultation with BMs and Heads, reviews individual school outturns and presents termly financial monitoring reports to the Resources Committee. BD prepares the Trust's termly financial monitoring report and presents to the Resources Committee.	The monitoring reports include a commentary to explain variances and a summary of risks and opportunities
		F&GPC review the latest position at its termly meetings. BM, together with Head reports any significant items to the governing body	
		BM, together with the Head, reviews monthly reports and outturn forecasts	
		BM prepares monthly management accounts, outturn forecasts and monitoring reports.	
4.6	Virements - Approving transfers from reserves or between cost centres	Resources Committee approves virements over £30,000 and advises the Board	Significant changes to budget plans must be notified to ESFA. Significant is interpreted as meaning that the AIP will have to be changed as a result
		LGB can authorise virements between £20,000 and £30,000.	
		F & GPC can authorise virements between £10,000 and £20,000	
		Head can make virements up to £10,000	

5. Procurement

Ref.	Responsibility	Roles	Comment
5.1	Appointing preferred suppliers	BD will approve any supplier nominated for preferred supplier status	Preferred suppliers are those whose rates/prices and terms and conditions have been checked in advance to ensure that they will provide good

			value for money
5.2	Service Contracts	<p>BD negotiates SLAs centrally with a brokerage exercise undertaken where appropriate i.e. where there is no preferred supplier.</p> <p>A report by the BD should be provided where the cheapest service supplier is not chosen</p> <p>LGB approves the BD recommended supplier based on best value. Individual academies pay for some of the negotiated services. LGBs retain the autonomy to choose an alternative supplier.</p> <p>Resources Committee receives an annual review / summary of all Service Contracting arrangements with a value of over £15,000.</p>	
5.3	Ordering and Payment of Goods and Services	<p>Board to</p> <ul style="list-style-type: none"> • Ratify orders over £50,000 • Oversee any services subject to tender <p>Resources Committee:</p> <ul style="list-style-type: none"> • Approval of the Financial Procedures Manual • Overview of compliance • Approval of orders over £50,000 (with ratification by the Board) • Implement tendering procedure together with BD <p>BD:</p> <p>Establish and monitor use of procurement policy/ procedures Up to £10,000 per item or related group of items</p> <p>CEO can make purchases up to £20,000</p> <p>LGB purchases over £20,000 up to £50,000</p> <p>F&GP purchases up to £20,000</p> <p>Head, BM and BD purchases up to £10,000</p> <p>Deputy Head up to £5,000</p> <p>Named officials up to £2,500</p>	<p>Procedure:</p> <p>Up to £2,500 one quote</p> <p>£2,500 - £50,000 (3 quotations in writing)</p> <p>Over £50,000 Tendering Procedure</p> <p>A list of authorised signatories is held by each academy</p>
5.4	Waiving pricing/quote process for procurements from £2,500 up to £50,000 where only one supplier is considered suitable	<p>Academy must submit statement signed by Head explaining why only one supplier is considered suitable</p> <p>CEO will approve waiver after reviewing reasons given</p>	<p>Waiver has to be confirmed by e mail and copy attached to PO or contract</p>
5.5	Authority to accept other than lowest quotation or tender	<p>Resources committee over £50,000 in consultation with the Board</p> <p>LGB Over £20,000 up to £50k following recommendation by BD</p> <p>F&GP up to £20,000 following recommendation by BD</p> <p>Head up to £10,000 following recommendation by BM</p>	
5.6	Executing contracts for a total or potential total up to £15,000	<p>Head signs contract on behalf of academy</p> <p>BD checks contract terms and conditions prior to execution</p>	
5.7	Executing contracts for	Chair of LGB signs contract on behalf of	

	a total or potential total value between £15,000 and £50,000	academy BD checks contract terms and conditions prior to execution	
5.8	Executing contracts for a total over £50,000	Resources Committee approves the Tendering policy and makes recommendation to the Board BD checks contract terms and conditions prior to execution	
5.9	Ensuring compliance with Public Contracts Regulations	Board approves the procurement policy that sets out procedures for managing tenders BD recommends policy and procedures. BD keeps tender register to ensure compliance	
5.10	Operating a competitive tendering process	Resources Committee sets the thresholds for procurement procedures to be used BD recommends policy and procedures. Internal auditor keeps tender register to ensure compliance	

6. Income

Ref.	Responsibility	Roles	Comment
6.1	Approving income policies and setting rates to be charged	The Resources Committee approves all income policies and procedures for income including charges and remissions BD is responsible for ensuring all legal obligations are met in licences and leases.	
6.2	Writing off debts for income not received	Resources Committee approves write offs over £10,000 F&GPC must consider any proposed write off over £1,000 and recommend action to LGB. LGB must approve any write off between £1,000 and £10,000 Head can authorise write offs up to £1,000, and must recommend any greater write off to the governing body BM must prepare a report on any recommendation to write off a debt including actions already taken to recover the debt	To consult the ESFA if value of debt is greater than as stated in their guidance Wherever possible, and always for lettings, the academy must require payment in advance to minimise the risk of bad debts.
6.3	Authorising income generating activities such as lettings, after school clubs and sports clubs	The Resources Committee sets the policy and scope of offers that may be undertaken LGB decides which options, if any, to adopt. Approves schedule of charges Head prepares plans and proposals, including risk assessments, for approval by LGB – proposes schedule of charges BD is responsible for ensuring all legal obligations are met in licences and will oversee risk assessment and viability appraisal for potential activities.	
6.4	SLE and other income generating S2S support initiatives	SLEs – set rate as stipulated by Tykes Teaching School. Actual split of income between school and SLE detailed in the Trust’s pay policy. Approved by Head / BM. Other income generation – split between school and relevant member of staff in accordance with the Trust’s Pay Policy.	

7. Information and Communication Systems

Ref.	Responsibility	Roles	Comment
7.1	Controlling systems, security and privacy of data	Resources Committee approves a General Data Protection Regulations (GDPR) policy to ensure legal compliance and security of data	Trusts must be aware of the risk of cybercrime, put in place proportionate controls and take appropriate action where a cyber security incident has occurred. Trusts must obtain permission from ESFA to pay any cyber ransom demands. ESFA supports the National Crime Agency's recommendation not to encourage, endorse, or condone the payment of ransom demands. Payment of ransoms has no guarantee of restoring access or services and is likely to result in repeat incidents.
		BD is responsible for information management procedures (Data Protection Officer in each school)	
		IT Technician oversees safeguards and protocols to minimise the risk of loss of or corruption of data or of unauthorised access to data	
7.2	Complying with Data Protection legislation	FO will update the registration for all new academies, change of address etc.	
7.3	Complying with Freedom of Information Act requirements	Board approves the Publication Policy that is required by the Act	
		Head will prepare draft replies to all queries relating to the Academy	
		CEO proposes Publication Policy and reviews queries and responses	

8. Insurance and Risk Management

Ref.	Responsibility	Roles	Comment
8.1	Reviewing insurance cover in the light of a risk assessment	BMs provide BD with all information required to arrange cover	
		BD reviews cover levels and negotiates insurance cover	
8.2	Maintaining a Risk Register	Resources Committee reviews overall risk management strategy, approach and attitude to risk	
		FGPC will review and approve the register annually. FGPC will consider whether any risk needs to be amended or added at each meeting. Any changes to risk profile advised to the BD.	
		BD will, in consultation with relevant staff, develop risk registers for individual academies. These are then managed at a local level.	
8.3	Producing Contingency and Business Continuity Planning (BCP) for risks that cannot be controlled	Resources Committee receives a summary of schools' BCP / Resilience plans.	Contingency and Business Continuity Plan is a ATH requirement
		FGPC approves the Resilience Plan and reviews annually	
		BM provides information and plans	

9. Investments and borrowings

Ref.	Responsibility	Roles	Comment
9.1	Setting aside funds not required in the short term	The Resources Committee decides the investment and reserves policies and in particular specifies what types of investment may be made	
		LGB approves levels of funds to be invested in accordance with policies	
		Head approves recommendations prior to presentation to LGB	
		BM reviews all investment and utilisation proposals before passing to LGB.	
9.2	Borrowing funds	Any proposal to borrow funds must be approved by the Board	This requirement extends to any purchase providing cash back facilities or deferred payment terms
		BD will prepare any proposal for borrowing and check compliance with DfE rules.	
		CEO must approve any proposal before consideration by Board.	
		BD will apply for ESFA approval where necessary prior to consideration by Board	
9.3	Entering into operating leases	BD approves all leases and signs lease agreements	Academies may only enter into operating leases that do not exceed 3 years. Finance leases are not permitted
9.4	Purchase/sale of any freehold property or land	Board approval	ESFA approval required
		CEO presents proposal to the Board via Resources Committee	
		BD/ Executive Head prepares the proposal together with relevant parties from the Trust / academy	
9.5	Granting or take up of any leasehold or tenancy	Board approval	ESFA approval required
		CEO presents proposal to the Board via Resources Committee	
		BD/ Executive Head prepares the proposal together with relevant parties from the Trust / academy	

10. Payments

Ref.	Responsibility	Roles	Comment
10.1	Authorising bank Payments	BACS - Two of the named officials (one being the Head, Executive Head, BD or BM) on the bank mandate	Individual card limit £1,000 (two held at each academy)
		Cheques - Two of the named officials (one being the Head, Executive Head, BD or BM) on the bank mandate	
		Named holders of Procurement Cards	
10.2	Approving applications for Procurement Cards	Head determines who may hold credit cards	
		Head/BM authorises any use of the issued card	
		FGPC approves all applications for credit cards	
10.3	Authorising reimbursement of personal expenses	Governors' Allowances and Staff Travel and Subsistence policies are set by the Resources Committee	
		Chair of Trustees can authorise Trustees, Chairs	

		of LGBs and CEO's expense claims	
		Chair of LGB can authorise governors' expense claims	
		Chair of LGB can authorise Head's expense claims	
		Head authorises all expense claims within the academy	
		CEO can also authorise Head's expense claims or delegate authority to an Executive Head	

11. Taxation

Ref.	Responsibility	Roles	Comment
11.1	Complying with VAT regulations	Resources Committee will receive reports from Internal Auditor on tax compliance	VAT claim will be submitted monthly
		BD arranges monthly claims from HMRC of VAT paid. Internal Auditor will check VAT procedures	
11.2	Complying with PAYE regulations	Resources Committee will receive reports from Internal Auditor on tax compliance	Internal auditor will check on compliance
		BM and FOs check that any payments to consultants and self-employed persons are tax compliant Internal auditor will check on compliance	
11.3	Ensuring that senior employee's payroll arrangements fully meet HM Treasury's tax requirements	Resources Committee will receive reports from Internal Auditor on tax compliance	
		BM will check all consultants appointments for tax compliance Internal auditor will check consultants payments	

12. Other

Ref.	Responsibility	Roles	Comment
12.1	Compliance with Companies Act regulations	BD ensures compliance	Internal Auditor checks regulations and advises BD
12.2	Compliance with Charities Act regulations	BD ensures compliance	Internal Auditor checks regulations and advises BD
12.3	Making Controversial, significant or unusual decisions	The Board will decide on issues where financial consequences of decision are between £5,000 and £50,000	AFH requires novel and/or contentious decisions to be referred to it before a final decision is taken
		LGB can make decisions where the total financial consequences of the action do not exceed £5,000	
		BD will consider whether any transaction under consideration needs to be referred to the ESFA	

Human Resources

1. Appointments

Ref.	Appointment of:	Roles	Comment
1.1	CEO	A minimum of three trustees (including the Chair)	At the time of identifying an appointment need, the CEO, Executive Head and all Heads within the Trust should be made aware in order that recommendations can be made of staff from across the Trust e.g. as a means of providing CPD opportunities and safeguarding of employment. When the CEO is planning to leave the trust (e.g. retirement or resignation), the board of trustees should approach their Regional Schools Commissioner (RSC) in advance to discuss their structure and options, including plans for recruitment.
1.2	Executive Head	A minimum of three trustees (including the Chair) and the CEO	
1.3	Business Director	A minimum of three trustees (including the Chair) and the CEO	
1.4	Head	CEO and LGB	
1.5	Deputy Head	A minimum of three governors (including the Chair) and the Head (in consultation with Executive / CEO if required)	
1.6	SLT / TLR post	Member of the LGB, Head, Deputy Head	
1.7	Other teaching posts	Member of LGB, Head, Deputy Head	
1.8	HLTA	Member of LGB, Head, Deputy Head	
1.9	TAs / Other support	Head and / or Deputy Head, HLTA	
1.10	Admin	BM, Head, senior admin staff	
1.11	Trust's central teaching / support staff	A trustee, CEO, Business Director, Executive Head where appropriate	

2. Performance Management

Ref.	PM of:	Roles	Comment
2.1	CEO	Chair of Board of trustees and external consultant	Appeals: 3 Trustees
2.2	Executive Head	Chair of Board of trustees, CEO and external consultant	Appeals: 3 Trustees
2.3	Business Director	Chair of Board of trustees, CEO and external consultant	Appeals: 3 Trustees
2.4	Head	Chair (or other representative) of LGB, Executive Head (where applicable), CEO and an External Consultant	Appeals: Rep from Board, LGB
2.5	Deputy Head	Head (ratified through Pay Committee)	Appeals: LGB
2.6	SLT / TLR post	Head or Deputy Head (ratified through Pay Committee)	Appeals: LGB
2.7	Other teaching posts	Head, Deputy Head or other SLT member (ratified by Head and through Pay Committee)	Appeals: Executive Head
2.8	HLTA	Head or Deputy Head	Appeals: Executive Head
2.9	TAs / Other support	HLTA	Appeals: Head
2.10	Admin	Business Director (in consultation with Head), senior admin staff	Appeals: Head
2.11	Trust's central teaching / support staff	A trustee, CEO, Business Director as appropriate	Appeals: Appeals: 3 Trustees

3. Salaries, Wages and Pensions

Ref.	Responsibility	Roles	Comment
3.1	Approving Terms and Conditions of Employment including salary scales, benefits and allowances	The Board approves all Terms and Conditions	
		Head decides on application of Terms and Conditions in individual cases where the policy allows discretion	
		BD will advise on Terms and Conditions and take legal advice to ensure compliance	
3.2	Approving all salary variations and changes, including salary changes, allowances, working hours, overtime and unpaid leave	Head authorises permanent and temporary variations to individuals' salary	
		FO will review the draft payroll and report to the BD on all variations and anomalies prior to authorisation	
3.3	Approving calculation of pay and deductions prior to payment	BD signs the draft payroll to authorise payroll service provider to process payment	
		FO will review the draft payroll and report to the BD on all variations and anomalies prior to authorisation	
3.4	Approving salaries awarded to individual staff	CEO reviews Executive Head and Head's salary	The trust must publish on its website in a separate readily accessible form the number of employees whose benefits exceeded £100k, in £10k bandings, for the previous year ended 31 August. Benefits for this purpose include salary, employers' pension contributions, other taxable benefits and termination payments.
		F&GP committee reviews overall salary structure as part of the budget approval process	
		Head reviews staff salaries (other than own) and recommends changes in individuals pay scales	
3.5	Changing staff structure within the current year	Head recommends new posts	External HR advice required
		CEO/Executive Head authorises new posts	
3.6	Obtaining legal advice on severance payments	BD obtains legal advice on liability in all cases other than redundancy payments	Legal advice must be taken on any disputed settlement items Where legal advice is that the Trust's chances of success are greater than 50% the claim will be defended
3.7	Honoraria / Additional Payments	The Board approves for CEO, BD, Head	
		Head for other staff other than admin which will be the BD	
3.8	Authorising severance payments to individuals, including redundancy	EFSA approval required for payments in excess of £100,000	Ex gratia payments are not made. Approval from ESFA is required for staff severance payments where an exit package includes a special severance payment at or above £100,000; and/or the
		Resources Committee approves payments between £10,000 and £100,000 with ratification by the Board	
		Head up to £10,000	

			employee earns over £150,000 Ex gratia payments are not made
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4. Disciplinary Cases and Dismissals (Disciplinary, capability, Ill-health, Redundancy)

Ref.	Against:	Roles	Comment
4.1	CEO	Investigating Officer (a trustee)	Appeals: 3 made up of Trustees / Members
4.2	Executive Head	Investigating Officer (a trustee)	Appeals: 3 made up of Trustees / Members
4.3	Business Director	Investigating Officer (a trustee)	Appeals: 3 made up of Trustees / Members
4.4	Head	Executive Head, CEO, Chair of LGB	Appeals: 3 made up of Trustees / Members
4.5	Deputy Head	Head, Chair of LGB	Appeals: 3 made up of governors (not the Chair)
4.6	SLT / TLR post	Head, Chair of LGB	Appeals: 3 made up of governors (not the Chair)
4.7	Other teaching posts	Head, Chair of LGB	Appeals: 3 made up of governors (not the Chair)
4.8	HLTA	Head, Chair of LGB	Appeals: 3 made up of governors (not the Chair)
4.9	TAs / Other support	Head	Appeals: 3 made up of governors (not the Chair)
4.10	Admin	Business Director	Appeals: 3 made up of Trustees / Members
4.11	Trust's central teaching / support staff	Investigating Officer (a trustee)	Appeals: 3 made up of Trustees / Members

5. Grievance

Ref.	Against:	Roles	Comment
5.1	CEO	Investigating Officer (a trustee)	Appeals: 3 made up of Trustees / Members
5.2	Executive Head	Investigating Officer (a trustee)	Appeals: 3 made up of Trustees / Members
5.3	Business Director	Investigating Officer (a trustee)	Appeals: 3 made up of Trustees / Members
5.4	Head	Executive Head, Chair of LGB	Appeals: 3 made up of Trustees / Members
5.5	Deputy Head	Head, Chair of LGB	Appeals: 3 made up of governors (not the Chair)
5.6	SLT / TLR post	Head, Chair of LGB	Appeals: 3 made up of governors (not the Chair)
5.7	Other teaching posts	Head, Chair of LGB	Appeals: 3 made up of governors (not the Chair)
5.8	HLTA	Head, Chair of LGB	Appeals: 3 made up of governors (not the Chair)
5.9	TAs / Other support	Head	Appeals: 3 made up of governors (not the Chair)
5.10	Admin	Business Director	Appeals: 3 made up of Trustees / Members
5.11	Trust's central teaching / support staff	Investigating Officer (a trustee)	Appeals: 3 made up of Trustees / Members

6. Governance

Ref.	Responsibility	Roles	Comment
6.1	Establishing the academy's governing body and regulations for its conduct of business	<p>The size of the governing body and the number of governors determined in accordance with The School Governance (Constitution) (England) Regulations 2012. The instrument of government sets out the regulations for conduct of business by the LGB.</p> <p>BD & CEO review regulations and present to the Board for approval.</p>	Regulations for the Conduct of Business of the Governing Body include procedures for holding meetings, issuing notices, making and circulating minutes etc.
6.2	Appointing governors to the academy's governing body	<p>The Board may appoint governors</p> <p>Head is ex officio governor</p> <p>CEO may nominate persons for appointment by the Board</p> <p>Following recommendation by the LGB, The Board appoints the chair of the academy's governing body</p>	The Trust should have reserved places for parents, carers or other individuals with parental responsibilities in their governance structure. MATs should have two such places on the Board or at least two such places on each LGB where the trust has established them. Trusts should hold elections to fill these places, as appropriate.
6.3	Appointing chairs and vice chairs	Governing body appoints the vice chair of F&GPC and any other committee or sub the LGB of the LGB and chairs of its committees	
6.4	Establishing committees and sub committees	The Governing body must establish the F&GPC and may establish any other committee or sub-committee it considers necessary and set its terms of reference	
6.5	Removing a governor from the academy governing body	<p>The Board may remove a governor</p> <p>The governing body may recommend removal of a governor to the Board</p> <p>The Clerk to the Governors will maintain a register of interests and will report the completion of the register or any non-compliance to the LGB.</p>	The procedures for removing members are set out in the Regulations for the Conduct of Business for the Governing Body
6.6	Maintaining a register of pecuniary and business interests of governors/staff.	<p>The internal auditor checks the completion of the register</p> <p>The Resources Committee sets the policy and procedures for registering business interests</p>	All governors have a duty to disclose interests. Senior staff are also required to sign declarations of interest and a separate register is kept by the BD
6.7	Maintaining a register of Gifts and Hospitality	<p>The Resources Committee sets the policy for accepting and recording gifts and hospitality</p> <p>The Clerk to the Governors will maintain the register and will report any non-compliance to the GB</p> <p>The Head will decide, within the parameters of Resources Committee's policy, whether to allow any offers of gifts or hospitality to be accepted</p>	All governors have a duty to disclose gifts or hospitality received or offered.

Scheme of Delegation Reviewed and Approved: 29/09/2022

I.V.V. 

Signed: _____