

Gippeswyk Community Educational Trust

Policy and Procedure: Scheme of Delegation

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1. Introduction

The need for a framework that provides clarity about the duties, roles and responsibilities of all parties is imperative for all organisations in order to secure effective systems of leadership, management and operation, to manage risk effectively and secure required outcomes.

The scheme of delegation needs to address:

1. who in the organisation has the power to make decisions
2. the decisions individuals or groups are empowered to make
3. where and with whom consultation needs to take place before decisions are made

The table appended to this report sets out in diagrammatic form the delegated powers between the different bodies involved in the governance and operation of the Gippeswyk Community Educational Trust and member academies.

The bodies may include:

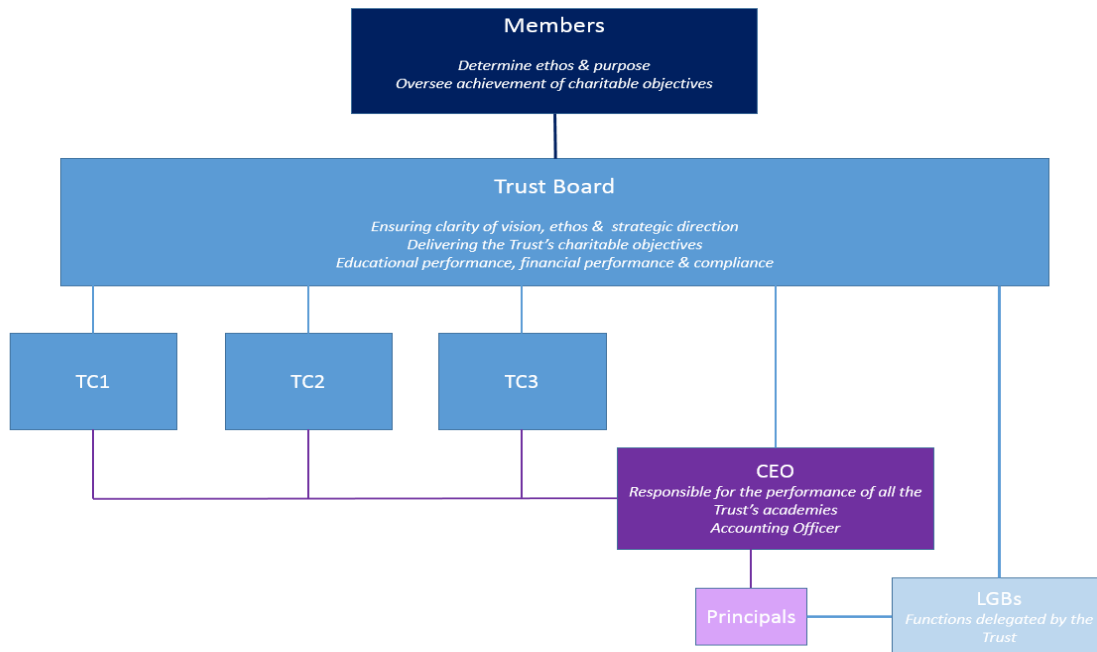
1. Trust Members
2. Trust Board of Directors
3. Trust Finance & Audit Committee
4. Education & Standards Committee
5. HR and Health & Safety Committee
6. Local Governing Body
7. Chief Executive Officer
8. Chief Operating Officer / Finance Officer
9. Principals of individual academies

The delegated powers are broken down into different levels in line with the Trust's principles of governance, leadership and operation. The delegated autonomy for individual academies is aligned with the need for the Trust to fulfil its corporate responsibilities and accountabilities to the Department for Education, Education and Skills Funding Agency, Charities Commission, HMRC and Companies House.

The scheme of delegation should support the objects of the Trust as set out in paragraph 4a of the Articles of Association (the Articles). The Trusts objects are 'to advance for the public benefit education in the United Kingdom, in particular but without prejudice to the generality of the foregoing by establishing, maintaining, carrying on, managing and developing schools ("the mainstream Academies") offering a broad and balanced curriculum.....';

The starting point for the scheme of delegation needs to be a shared understanding across the Trust that, in accordance with the Trusts Articles and Master Funding Agreement (MFA), sole decision making power resides with the Trust board acting on behalf of the Trust in accordance with its vision and values.

2. Gippeswyk Community Educational Trust Governance Structure



3. Roles and Responsibilities

Members

Members are the original signatories to the company's memorandum of association and have agreed the Trust's first Articles of Association which outlines the governance structure and how the Trust will operate.

The role of Members includes:

1. To determine the ethos and purpose of the Trust
2. Overseeing the achievement of the objectives of the Trust as set out in the articles of association and amending its articles of association when required
3. Taking part in annual and extraordinary general meetings
4. Appointing and removing members and trustees
5. Ensuring the financial stability of the Trust and receive its accounts
6. Ensuring compliance with general principles of charity law

Trustees

The Trust is a charitable company and so trustees are both charity Trustees (within the terms of section 177(1) of the Charities Act 2011) and company directors. They are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the Memorandum and Articles of Association. The Trustees are the accountable body for the performance of ALL Academy schools within Trust.

The role of Trustees includes:

1. Ensuring clarity of vision, ethos and strategic direction and performance framework
2. Delivering the Trusts charitable outcomes
3. Holding the Chief Executive Officer to account for the educational performance of the academy schools and their pupils and the performance management of staff
4. Overseeing the financial performance of the Trust and making sure that monies are well spent.
5. Ensuring the Trust is compliant with both company and charity law and has due regard for any other relevant legislation or regulations.

The Chair of Trustees can use their judgement between meetings to make decisions on behalf of the whole Trust Board in appropriate circumstances but such decisions will be provisional, when necessary, pending ratification by the whole Board.

Trust Board Committees

The Trustees may establish committees to carry out some of its governance functions which may include making decisions, although any decisions made will be deemed decisions of the trust board.

The Chief Executive Officer (CEO)

The CEO is appointed by the Board and has the delegated responsibility for the operation of the Trust.

Role of the CEO:

1. Responsible for the performance of all the Trust's academies and setting of performance targets
2. To performance manage the academy heads, usually in conjunction with individual academy chairs.
3. As accounting officer, the CEO so has overall responsibility for the operation of the academy trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability and in line with the Academies Financial Handbook.
4. To lead the executive management team of the academy trust.

Local Governing Bodies (LGB)

The trustees may establish local governing bodies to carry out some of its school level governance functions.

Typically, delegated functions may include:

1. Building an understanding of how the school is led and managed
2. Monitoring whether the school is:
 - a. Working within agreed policies
 - b. Is meeting the agreed targets
 - c. Managing its finances well
3. Engaging with stakeholders
4. Being a point of consultation and representation
5. Reporting to the board

The Chair of the LGB can use their judgement between meetings to make decisions on behalf of the whole LGB in appropriate circumstances in accordance with the Scheme of Delegation and RoFR, such decisions will be provisional, when necessary, pending ratification by the whole LGB.

The Trust Board retains the right to review, intervene or remove any power or responsibility delegated to the LGB where it has serious cause for concern including:

1. Standards of performance of pupils at the Academy are unacceptably below performance targets
2. Serious breakdown in the way the Academy is governed or managed
3. Safety of pupils or staff is threatened
4. Financial mismanagement or failure to operate within budget

4. Delegated Powers

The different levels of delegated power are listed below but it should be noted that not every task requires all levels of delegated power to be defined:

- **(A) Accountable** – The body/person answerable for the task

- **(R) Responsible** – The body/person who will complete the task

The Scheme of Delegation should be read in conjunction with the Terms of Reference for the relevant body. While the Scheme is designed to be wide-ranging it will not cover every task.

	Task Key: A - Accountable R - Responsible	Notes/Approving Trust Committee	Members	Trust Board	CEO	CFO	LGB	Principal
1.	Governance							
1.1.	Approve Trust Articles of Association		A R					
1.2.	Appointing / removing members and trustees		A R					
1.3.	Co-opt trustees (see article 58)			A R				
1.4.	Removal of auditors		A	R				
1.5.	Approve Trust Board Terms of Reference			A R				
1.6.	Approve membership of new academies			A	R	R		
1.7.	Approve Trust Scheme of Delegation			A R				
1.8.	Establish (and remove) Trust Committees			A R				
1.9.	Approve Trust Committee Terms of Reference			A R				
1.10.	Establish (and remove) Local Governing Bodies (LGB)			A R				
1.11.	Approve Local Governing Body (LGB) Terms of Reference			A R				
1.12.	Establish LGB working groups						A R	
1.13.	Appoint (and remove) Chair / Vice Chair of Trust Board			A R				
1.14.	Appoint (and remove) Chair of LGB			A			R	
1.15.	Appoint (and remove) Vice Chair of LGB						A R	
1.16.	Appoint (and remove) Chair(s) / Vice Chairs of Trust Committees			A R				
1.17.	Appoint (and remove) Trust Committee members			A R				

	Task Key: A - Accountable R - Responsible	Notes/Approving Trust Committee	Members	Trust Board	CEO	CFO	LGB	Principal
1.18.	Appoint (and remove) Local Governors			A			R	
1.19.	Ratify the appointment of co-opted local governors			A			R	
1.20.	Appoint (and remove) Clerk to Trust Board			A R				
1.21.	Appoint (and remove) Clerk to LGB						A R	
1.22.	Bi-Annual self-review of trust board and committees			A R				
1.23.	Bi-Annual self-review of LGB and committees						A R	
1.24.	Agree annual schedule of business for Trust Board			A R				
1.25.	Agree annual schedule of business for LGB						A R	
1.26.	Organise & review local governor training						A R	
1.27.	Publishing statutory governance information on website(s)			A R			R	
2.	Trust & Academy Performance, Curriculum and Teaching							
2.1.	Academy Trust 3-year business development plan			A	R			
2.2.	Academy School development Plan			A	R		R	R
2.3.	Academic Performance Targets			A	R		R	R
2.4.	Academy Staff Development Plan				A	R	R	R
2.5.	Trust Curriculum & Learning statement	Education & Standards		A R	R			
2.6.	Academy Curriculum & Learning Policy			A			R	R
2.7.								
2.8.	Religious Education statement			A			R	R
2.9.	Trust Professional Development Days				A			R
3.	Staff Policies and Pay							
3.1.	Pay Policy			A	R			
3.2.	Appraisal Policy			A	R			

	Task Key: A - Accountable R - Responsible	Notes/Approving Trust Committee	Members	Trust Board	CEO	CFO	LGB	Principal
3.3.	Changes to Employee Terms & Conditions or Collective Agreements			A	R			
3.4.	Adoption of Transferring Policies and Collective Agreements			A	R			
3.5.	Teachers Annual Pay Award	HR		A	R			
3.6.	Support Staff Annual Pay Award	HR		A	R			
3.7.	Principal Individual Performance Pay awards	HR		A	R			
3.8.	Deputy Principal Individual Performance Pay awards	HR		A	R			R
3.9.	Teacher & support staff Individual Performance Pay Awards	HR		A	R			R
3.10.	CEO Individual Performance Pay Award			A R				
3.11.	CFO Individual Performance Pay Awards	HR		A	R			
3.12.	Disciplinary Policy			A	R			
3.13.	Grievance Policy			A	R			
3.14.	Capability Policy			A	R			
3.15.	Whistleblowing Policy			A	R			
3.16.	Employee Health & Safety Policy			A	R			
4.	Staff Management – Trust							
4.1.	Staffing, structure and grades			A	R			
4.2.	CEO appointment			A R				
4.3.	CFO appointment			A	R			
4.4.	Suspension of CEO			A R				
4.5.	Return of CEO after suspension			A R				
4.6.	Dismissal of CEO			A R				
4.7.	Suspension of CFO			A	R			
4.8.	Return of CFO after suspension			A	R			
4.9.	Dismissal of CFO			A	R			
4.10.	Support staff appointments			A	R			
	Staff Management – within academies							
4.11.	Staffing, structure and grades				A			R

	Task Key: A - Accountable R - Responsible	Notes/Approving Trust Committee	Members	Trust Board	CEO	CFO	LGB	Principal
4.12.	Principal appointment			A	R			
4.13.	Deputy Principal appointment				A			R
4.14.	Teaching & senior support staff appointments							AR
4.15.	Support staff appointments							AR
4.16.	Suspension of Principal or Deputy Principal			A	R			
4.17.	Return of Principal or Deputy Principal after suspension			A	R			
4.18.	Dismissal of Principal or Deputy Principal			A	R			
4.19.	Suspension of teaching and support staff				R			R
4.20.	Return of teaching and support staff after suspension				R			R
4.21.	Dismissal of teaching and support staff				A			R
4.22.	Redundancy of staff			A	R			
4.23.	Major Re-structuring of staff			A	R			
5.	Finance, Government & Management							
5.1.	Trust & Academy Financial Regulations (inc. key policies & procedures)			A	R	R		
5.2.	Record of Financial Responsibility (RoFR)			A	R	R		
5.3.	Risk register			A	R	R	R	
5.4.	Trust Procurement Policy			A	R	R		
5.5.	Appoint Trust Auditors		A	R				
5.6.	Trust 3-year Budget Plan			A	R	R		
5.7.	Trust 1 year Budget			A	R	R		
5.8.	Central MAT Budget & Service Charge			A	R	R		
5.9.	Academy Schools 3-year Strategic Financial Plan			A	R	R	R	R
5.10.	Academy Schools 1 year Budget Plan			A	R	R	R	R
5.11.	Trust Annual Accounts			A	R	R		

	Task Key: A - Accountable R - Responsible	Notes/Approving Trust Committee	Members	Trust Board	CEO	CFO	LGB	Principal
5.12.	Trustees Report			A	R	R		
5.13.	Trust Academies Accounts Return to EFA				A	R		
5.14.	Response to Auditor's Management Letter			A	R	R		
5.15.	Response to Internal audit reports			A	R	R		
6.	Financial Authorisation – <i>Refer to Trust Finance Policy & Record of Financial Responsibility [RoFR]</i>							
7.	Academy Policies & Procedures							
7.1.	Academy times, terms and holidays				A		R	R
7.2.	Expansion of Academy (PAN or NOR)			A	R		R	R
7.3.	Extension of Academy provision (Nursery)			A	R		R	R
7.4.	Child Welfare & Safeguarding policy			A	R			
7.5.	Attendance policy	Education & Standards		A	R			
7.6.	Trust Pupil Behaviour Framework	Education & Standards		A	R			
7.7.	Behaviour for learning policy	Education & Standards		A	R		R	R
7.8.	Pupil Exclusions Policy	Education & Standards		A	R		R	R
7.9.	Short-term exclusion							A R
7.10.	Return after short-term exclusion							A R
7.11.	Permanent Exclusions				A		R	R
7.12.	Appeals against Permanent Exclusion applying to the legal framework			A	R			R
7.13.	Complaints Policy			A	R		R	
7.14.	Complaints Appeals			A	R			
7.15.	Admissions Policy			A	R		R	
7.16.	Admissions Appeals			A	R			
7.17.	Academy Trust brand and branding guidelines			A	R			

	Task Key: A - Accountable R - Responsible	Notes/Approving Trust Committee	Members	Trust Board	CEO	CFO	LGB	Principal
7.18.	Academy school prospectus	Within trust branding guidelines						A R
7.19.	Academy school website	Within trust branding guidelines						A R
7.20.	Academy school name, logo & branding	Within trust branding guidelines					A	R
7.21.	Academy school uniform	Within trust branding guidelines					A	R
7.22.	Academy school Educational Visits Policy						A	R
7.23.	Extended services on-site			A			R	R
7.24.	Academy Trust Pupil Premium Strategy			A	R			
7.25.	Academy Pupil Premium statement	Education & Standards		A	R		R	R
8.	Premises & Assets – <i>Refer to Trust Finance Policy & RoFR for commissioning of repairs or works</i>							
8.1.	Estate Management Policy & Plan			A	R	R		
8.2.	Health & Safety Policy			A	R	R		

Date approved:		Chair of Trust Board:	
Date of next review:		Signed:	
		Print name:	

Scheme of Delegation specific to Coronavirus situation

Accountable: A

Responsible: R

An action group has been set up to agree procedures in relation to the Coronavirus outbreak.

The initial action group consists of:

CEO
Principals
Head of MAT Standards
H&S Lead
Chairs of LGB
Chair of Trust

The Trust and all Academies will work to the ongoing guidance received from the DfE and associated information from Public Health England.

			Members	Trust Board	CEO	CFO	LGB	Principal
1	To ensure that all academies follow the guidance from DfE and Public Health England				A			R
2	Decision to close an Academy The decision to close an Academy will be made by the CEO in consultation with the Academy "Closure Group"				A			R

Academy "Closure Group" consists of:

CEO
Principal
Chair of LGB
Chair of Trust

The CEO will endeavour to consult with all members of the Academy "Closure Group" but due to the necessity to make a quick decision, the CEO will be accountable for Academy Closure in close consultation with the Principal.

The CEO will make the decision to close in consultation with the Principal, if necessary, in an emergency situation. The LGB and Trustees would be informed of the decision to close as soon as possible thereafter.

Department for Education Coronavirus helpline

Phone- 0800 0468687

E mail- coronavirushelpline@education.gov.uk