

**Scheme of Delegation**

**September 2020**

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**Version History**

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| Date | Author | Version | Comment |
| 19th July 2019 | Board of Trustees | 1 | Minor changes approved |
| 11th October 2019 | Board of Trustees | 2 |  |
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**1. Rationale**

The underlying principles for this Scheme of Delegation are;

That all academies are in a partnership of equals irrespective of their length of membership.

* The Trust is a registered charity and it remains true to its aims and objectives
* The Trust is mindful that their function is to ensure that all statutory obligations are met

**2. General Information**

### **Values and ambitions**

We believe that all learners can be powerful learners when given access to good learning experiences. We want pupils and the academies they attend to be confident, successful and ambitious.

We envisage a Trust where well led, highly skilled and committed professionals collaborate, learn and innovate together to ensure that all academies are successful and where all learners have access to effective and innovative provision that meets their needs and aspirations.

We want to add value to achievement and raise standards. We also want to change lives. We know this requires our provision and our practice to be world class – because of the distance we have to travel, we understand that good will not be good enough and that we need to develop a shared appreciation of excellence and then strive to enact this every day.

We need to show that we take learning seriously and work together to create a vibrant culture in which this can happen. We know that it’s what we do that counts and that our thinking must be visible in classrooms if it is to have leverage. Pupils are at the forefront of all that we do and aspire to do. We need to take serious steps to engage them, to hear their voice in authentic ways and then to use their insight and expertise to develop radical pedagogies that taps into their passions and interests and use the potential of emergent technologies.

**Members**

Members are the ultimate layer of governance in the Trust. They appoint and remove Trustees, amend our Articles of Association and hold our Trustees to account.

**Trustees**

The Trustees set the strategic direction and strategy for the Trust. They hold Directors to account, ensure financial efficiency and probity and ensure the Trust is legally compliant. The Board is governed by non-executive Trustees constituted under a Memorandum of Association and Article of Association. The Trustees are responsible for ensuring that high standards of corporate governance are maintained. The Trustees exercises their powers of functions with a view to fulfilling a largely strategic leadership role in the running of the academies. This affords greater opportunities for collaboration not only with regards to teaching and learning but also in terms of the management of each academy, including the procurement of goods and services.

The Trustees are also governed by the terms of any Funding Agreement that are in place and the Academies Financial Handbook (AFH).

**Academy Improvement Committee**

The Academy Improvement Committees are a sub-committee of the Trustees. The role of the Academy Improvement Committee (AIC) is to carry the Trust’s vision, values, policies, priorities and in addition, to develop the local community links.

The Academy Improvement Committees are made up of members who are expected to question, challenge and support the academy’s leadership.

**Directors**

The Trust Directors are appointed to manage the business and academy improvement strategies of the Trust within the parameters set by Trustees. Working within these parameters, Directors have the responsibility for the day to day management of the Trust’s operations and Academy improvement.

Directors are invited to attend termly Trustee meetings as and when required

**Composition of Academy Improvement Committees**

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| **Type of Member** | **Number** | **Term of Office** | **How they are elected** |
| Principal | 1 | Indefinite | By the Board of Trustees |
| Staff | 1 | Indefinite | By the Board of Trustees |
| Parent | 1 | Until their child leaves the academy | By the Board of Trustees |
| Community | 2 | 4 years | By the Board of Trustees |
| Clerk | 1 | Indefinite | By the Board of Trustees |

**3. Central Functions**

As part of the Trust we aim to have the greatest amount of impact with efficacy. A contribution of 4.5% and £22,750 from each academy’s GAG income enables access to a whole range of functions and services provided or procured centrally.

**Named authority**

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| **Board of Trustees** | **Trustees** |
| **Chief Executive Officer / Accounting Officer** | CEO/Darren Holmes |
| **Chief Finance Officer** | CFO/Jodie Younger |
| **Directors** | Paul Kennedy - Director of Business and Development  Liz Thompson - Director of Governance and Development  Lauren Pilgrim- Director of Human Resource  Brett Webster - Director of Information Technology  Jaimie Holbrook - Director of Improvement and Effectiveness (Development Lead)  Rebecca Clayton - Director of Improvement and Performance (Development Lead) |
| **Central Team** | Sara Gartshore – Chief Admin Officer  Kerrie Birch – Trust Admin Apprentice  Michelle Baker – Trust Finance Officer  Simon Thompson – Payroll Officer  Holly Robinson – Payroll Assistant  Jamie McGuire – Estates Officer  Lynsey Freear – Responsible Officer  Alison Semley – Data and Intelligence Officer  Katie Bedford – HR Officer |

**4. Financial Delegated Authority**

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| **Financial Delegated Authority** |
| **Budget Setting** |
| Annual budgets require authorisation by the Chief Financial Officer prior to being presented to Trustees for approval via the Audit, Risk and Finance committee.  Directors and the Central Team must seek approval from the CFO for all expenditure relating to the central function via the Chief Admin Officer – in line with procurement limits set out below.  Principals will submit their Academy Improvement Plan and Summary SEF with relevant costings to the Standards Committee before the end of September each year. AIP must include a financial summary outlining expenditure.  Academy staffing costs must be at or below 80% staffing ratio in relation to their GAG, pupil premium, early years, SEN and catering income. Any staffing costs over the 80% threshold must be approved by the CFO. |

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| **Delegated Duty** | **Value** | **Delegated Authority** | **Comment** |
| All procurement must be carried out in compliance with the principles of the EU Treaties, include the free movement of goods (Article 28 of the EC Treaty), the right of establishment (Article 43), the freedom to provide services (Article 49), non-discrimination and equal treatment, transparency, proportionality and mutual recognition. For most goods and services where contracts will have a value over their lifetime in excess of the OJEU threshold, a strict procedure must be followed in compliance with the Public Contracts Regulations 2006 and related regulations.  Data Protection Officer (Liz Thompson) to be involved in all new contracts or contract renewals to ensure GDPR compliance | | | |
| **Approving adverse variances compared to the most recent budget or forecast** | Unlimited | Chief Financial Officer | Reports to Audit Risk and Finance Committee |
| **Ordering good and services (including advertising of Tenders and award of contracts)** | Up to £2,499 | Principal | All expenditure to be in line with the principles of best value. If possible 3 quotes should be obtained in order to benchmark costs. |
| Up to £9,999 | Principal | Expenditure between to £2500 to £49,999 require 3 written quotations |
| £10,000 - £19,999 | CFO | Any contracts over £10,000 must be uploaded onto Contracts Finder |
|  | £20,000-  £49,999 | CFO or Director of Business and Development | Expenditure over £20,000 to be approved by CFO to be presented to Trustees. |
|  | £50,000 - £181,302 | Director of Business and Development | Expenditure over £50,000 to be put out to tender. Competitive tendering can be considered below this figure and presented to Trustees. |
|  | £181,302 and above | Director of Business and Development | Contracts over EU thresholds for the time being (for guidance refer to [www.ojec.com/Thresholds.aspx](http://www.ojec.com/Thresholds.aspx)) to follow a compliant process under the Public Contract Regulations 2016 and subsequent legislation |
| **Capital Projects** | All projects | Director of Business and Development | Annual capital programme to be approved by Trustees |
| **To determine services to be included in Operational Services Framework** | All services | Trustees | All academies to operate under the Operational Services Framework. Academies must use services provided centrally. |

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| **Delegated Duty** | **Value** | **Delegated Authority** | **Comment** |
| **Authorising monthly salary payments** | Unlimited | CFO and Director of Business and Development | All significant variances to be reported to Trustees |
| **Signatures for Cheques, BACS payment Authorisations and other bank transfers** | Up to £10,000 | Any two signatures in line with the Bank Mandate | Cheques only to be used in an emergency |
| Any amounts over £10,000 | Two signatures in accordance with the bank mandate |  |
| **Signatories for grant claims and DfE Returns** | Unlimited | Signatories from the following (as required):  Accounting Officer  Director of Business and Development  CFO | Signatories as required by DfE / ESFA |

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| **Delegated Duty** | **Value** | **Delegated Authority** | **Comment** |
| **Disposal of assets** | Up to £500 | Principal | CFO to report to Trustees |
| Over £500 | CFO | Prior approval from Trustees via CFO |
| Over £20,000 (if purchased via grant) and disposal of land and buildings | CFO and Secretary of State | Prior written consent from Secretary of State of Education via the CFO |
| **Write-off bad debts** | Up to £1000 | CFO |  |
|  | Over £1,000 | Trustees CFO plus DfE/ESFA approval (where the debts are more than 1% of total annual income or £45k (whichever is smaller), per single transaction, cumulatively 5% of total annual income as long as have 2 years of timely unqualified submitted accounts). | Report to Trustees |
| **Write-off overpayments to staff** | Up to £1,000 | CFO | Limit as per ESFA apply as included in write off of bad debts. |
| **Purchase or sale of freehold property** | Any | Trustees, CEO plus DfE approval required | Secretary of State approval required |
| **Granting or taking up of any leasehold or tenancy agreement exceeding 3 years** | Any | Trustees, CEO plus DfE approval required | Secretary of State approval required |
| **Any guarantees, indemnities and letters of comfort entered into** | Any | Trustees, CEO plus DfE approval required |  |
| **Ex-gratia payments** | Any | Trustees, CFO plus DfE approval required |  |
| **Severance Payment** | Up to £50,000 | CEO | Termly reports provided to Trustees  Any severance payment in excess of £50,000 must be referred to Secretary of State of Education. |
| **ICT Procurement** | Any | Director of ICT | All procurement of ICT must be through the Director of ICT |

**5. HR Levels of Authority**

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| **HR Levels of authority** | |
| **APPOINTMENTS** | |
| **All appointment panels must contain at least one member who has undertaken Safer Recruitment Training. The CEO may nominate an alternative representative if they are unavailable to make up a panel.**  **All academy- based appointments require prior approval from CFO and Director of HR.** | |
| CEO | Board of Trustees |
| Director of Business and Development/Chief Financial Officer | Trustee, CEO and 1 other as determined by the CEO |
| Directors | Trustee, CEO and 1 other as determined by the CEO |
| Principal | Trustee/CEO, Director and 1 other as determined by the CEO |
| Vice Principals | CEO, Principal and 1 other as determined by the CEO |
| Assistant Principals and SLT Support Staff | Principal, Vice Principal and 1 other as determined by the Principal |
| TLR Posts (existing post) | Principal |
| All other Teaching posts | Principal and 1 other as determined by the Principal |
| All Support Staff posts (other than SLT posts) | Principal and 1 other as determined by the Principal |

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| **DISCIPLINARY CASES AND DISMISSALS** | | |
| **For all disciplinary cases and dismissals the following delegation model shall apply** : | | |
| Disciplinary Capability (professional competence) Ill Health Capability Redundancy. (The Board will have determined that there is a Redundancy situation)  Some other substantial situation | | |
| **For all disciplinary cases and dismissals, the following delegation model shall apply**: | | |
| **Posts** | **Delegated Authority** | **Appeal** |
| CEO | Board of Trustees | 3 Trustees |
| Directors including CFO | Trustee or CEO | 3 Trustees |
| Principal | Trustee or CEO | 3 Trustees |
| Vice Principal and SLT Members | Trustee or CEO | CEO or Trustee |
| All other Academy posts | Principal | Director, Director of HR/nominated person, Governor |
| All other Central team posts | Director of HR or CEO | Trustee, CEO, Director of Business and Development |

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| **GRIEVANCE** | | |
| **Posts** | **Delegated Authority** | **Appeal** |
| CEO | Board of Trustees | Chair of Trustees |
| Directors | Trustee or CEO | Trustees |
| Principal | Director of HR or CEO | Trustee, CEO or Director |
| Vice Principal/SLT Member | Principal | Director of HR, Governor, |
| All other Academy posts | Principal | Governor, Director of HR/nominated person |
| All other Central team posts | Director of HR or CEO | Trustee / CEO |

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| **OTHER HR FUNCTIONS** | |
| **Function** | **Delegated Authority** |
| All compromise agreements | Principal and Director of HR to agree terms – CEO to approve.  Report to be received by Trustees |
| Teachers Pay – Threshold/UPS | Principal with Director for improvement |
| Staffing restructures | CFO, Director of HR and Principal (where appropriate) |
| Decision to make redundancies | Principal and Director of HR |
| Authorisation of redundancy/early retirement payments | CFO or Director of HR |
| Determination of CEO’s salary/pay grade | Trustees on recommendation from Audit, Risk and Finance Committee |
| Determination of pay progression of Principal | CEO reported to the Audit, Risk and Finance Committee and Trustees on the basis of Performance Management |
| Determination of pay progression of Directors | CEO recommendation to the Audit, Risk and Finance Committee to be agreed by the Trustees on the basis of Performance Management |
| Determination of pay progression of teaching posts | Principal on agreement with the Director of Improvement on the basis of Performance Management |
| Variation to contracts of employment | Principal with involvement from Director of HR |
| Administration of employment contracts, pay and conditions of services (with the exception of previous delegated authorities) | Director of HR (with reference to the CEO, CFO or Director of Business and Development as appropriate) |
| To ensure that the apprenticeship levy is used effectively, and impact is reported to Trustees | Principal and Director of HR |
| To ensure all staff have access to the Trust professional development offer | CEO and Principal |

**6. Operational Level of Authority**

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| **Operational Level of authority** | | |
| **Delegated Duty** | **Delegated Authority** | **Comment** |
| Admissions | Principal | All academies will follow the Trust’s Admission Policy |
| Health and Safety | Director of Business and Development | It is the responsibility of the Trustees to ensure that health and safety laws are adhered to and the appropriate health and safety certificates are in place. The operational compliance of this function will be delegated on a day to day basis to the Director of Business and Development and their team. |
| Income Generation | Principal |  |
| Insurance | Director of Business and Development | Insurance for our academies will be procured through the government’s RPA scheme unless agreed otherwise by the Director of Business and Development. |
| Staff absence insurance | Director of HR | To ensure all academies have appropriate cover in place with the correct provider |
| Investments | Trustees | CFO continuously reviews investment options and reports to the Trustees |
| Permanent Exclusions | Principal and Academy Improvement Committee | All academies will follow the Trust’s Exclusions Policy for permanent exclusions and, where possible, work with the Local Authority to ensure independent permanent exclusion appeals. |
| Published Admission Number (PAN) | Trustees | The PAN must be set each academic year. There are consultation requirements where the PAN is being amended. |
| Service Level Agreements / Contracts | Director of Business and Development | Depending on the context of each academy, each academy may have different SLAs / Contracts in place. It is the responsibility of the Business Manager, working with the Director of Business and Development or CFO, to manage local SLAs and contracts. From time to time the Trust may procure SLAs on behalf of all academies as part of a best value review. |
| Safeguarding | Principals | Trustees will, in respect of each academy, act in accordance with, and be bound by, all relevant statutory and regulatory provisions for safeguarding. All academies will follow Trust’s policy on safeguarding. |
| Development of Trust wide policies | Directors | Changes to policies ratified by Trustees. |
| Development of Academy policies | Principal | All policies checked for compliance with Trust. |
| Appeals | Academy Improvement Committee | All appeals to be carried out by Academy Improvement Committee with support from Trust. |

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| **Academy Improvement** | | |
| **Delegated Duty** | **Delegated Authority** | **Comment** |
| Development of Curriculum Policy | Principal | Principals are responsible for developing a curriculum policy with the support from Directors (Development Leads). |
| Approval of Curriculum Policy | CEO | Each Curriculum policy should be submitted with the Academy Improvement Plan and SEF by the end of September. |
| To ensure and assure high standards of teaching for all pupils | Principal | Validated by AIC, Trust Central Team and Trustees. |
| Approval of Academy Improvement Plan | Trustees | All plans to be submitted with a fully costed staffing structure by the end of September |
| Approval of Self Evaluation | Trustees | All plans to be submitted by the end of September. |
| To ensure that pupils with additional needs are identified and appropriate provisions are in place | Principal | With support from Trust SEND Support Officer. |
| To be accountable for pupils’ outcomes | Principal | Monitored through the Director of Improvement role (Development Leads). Details reported by Directors of Improvement at each Standards committee (3 times per year). |
| Establishment of CPD/INSET days | Principal | Inform Trust Leadership Team. |
| Educational Visits | Principal | Must be submitted on Evolve. |
| Monitoring and projecting pupil numbers | Principal | Must be submitted to the Trust on an annual basis each September.  Where there is a 10% increase or decrease on pupil numbers for a 1 and 2 form entry school the Development Lead must be notified.  Where there is a 5% increase or decrease on pupil numbers for a 3 form entry school the Development Lead must be notified. |

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| **Governance** | | |
| **Delegated duty** | **Delegated authority** | **Comment** |
| To appoint (and remove) Members of the Academy Improvement Committee | Board of Trustees |  |
| To appoint and agree clerking agreements | Director of Governance |  |
| To maintain Single Central Record in line with statutory regulation | Principal | Must be on the Trust template |
| To amend the academy day or holidays | CEO | Principals to prepare a business case and submit to Directors (Development Leads) |
| To ensure that the academy website is up to date with all statutory requirements | Principal |  |
| To ensure that all Trust policies and procedures are followed and any breaches are reported to the Trust | Principal |  |
| Approval of Flexi Schooling requests | Trustees | All requests must be approved by Trustees |