



# **Fylde Coast Academy Trust**

## **Scheme of Delegation**

**Effective Date: from December 2020**

Approved by FCAT Board of Directors	8 <sup>th</sup> December 2020
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## **1 Background and Context**

### **1.1 Fylde Coast Academy Trust**

Fylde Coast Academy Trust (FCAT) is a company, limited by guarantee, and an exempt charity. FCAT's principal activities are to advance, for public benefit, education in the UK by establishing, maintaining, carrying on, managing and developing academies.

Established in 2012 by The Fylde Coast Teaching School, which was formed by Hodgson Academy and The Blackpool Sixth Form College, to promote the highest standards of teaching, learning and assessment across each phase of education. FCAT will continue to support the work of the Fylde Coast Teaching School and maintain close working relationships with Hodgson Academy and The Blackpool Sixth Form College.

FCAT has grown steadily, moving from sponsoring academies to building a 'mixed economy', multi-academy trust in 2015/2016, reaching maturity as a standalone multi-academy trust and a registered sponsor agency in 2019/20. The status as a standalone MAT is a new chapter in the history of FCAT, now that the Trust is able to sponsor in its own right.

The clear vision that "all our children benefit from a rich engaging and memorable learning experience, thriving as readers, scholars and citizens for the future" remains the focus for the Trust and is complemented by the deeply embedded six core values of: Pride, Respect, Integrity, Excellence, Resilience and Ambition. The final component of the Ethos is captured in the non-negotiables: Children First; No Excuses; High Expectations; Passion for Learning; Consistency and Compliance; and Outward Facing.

### **1.2 Director Responsibilities**

This Scheme of Delegation explains the ways in which FCAT Directors fulfil their responsibilities for the leadership and governance of the Trust, the respective roles and responsibilities of the Directors and the Academy Councils and any other commitments to each other that will ensure the success of the academies.

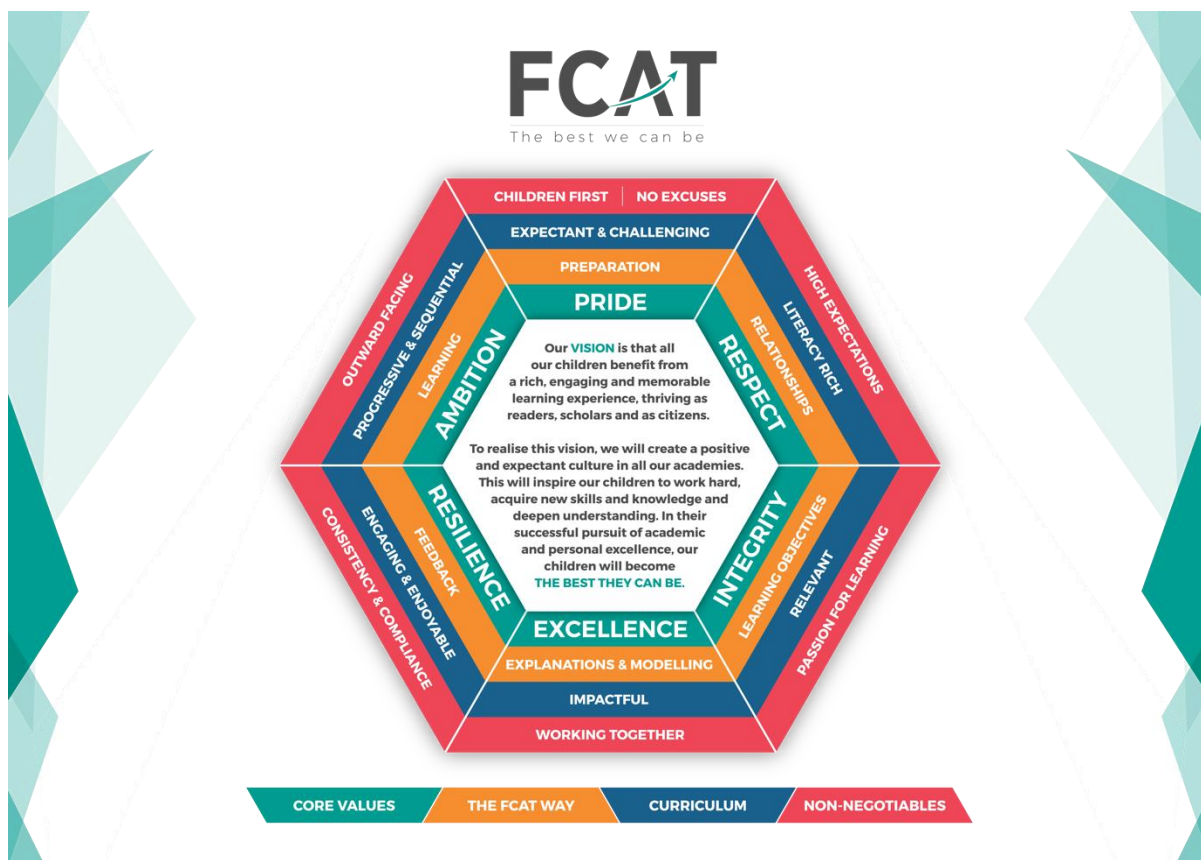
The directors' responsibilities combine those of school governor, company director and charity trustee.

This Scheme of Delegation has been put in place by the FCAT Directors from the Effective Date in accordance with the provisions of the FCAT's Articles of Association (the "Articles") and it should be read in conjunction with those Articles. The Scheme describes how responsibilities are delegated by directors to local governing bodies, known as Academy Councils, and to the executive via the Chief Executive Officer.

Notwithstanding the delegations within the scheme, legal responsibility for all matters relating to the trust remains with the directors.

This Scheme of Delegation will be reviewed on an annual basis by the FCAT Board of Directors.

## 2 Ethos and Values



### Ethos and Values: Delegated Responsibilities

Whilst the Academy Councils shall be responsible for ensuring that the Academy for which they are responsible is conducted in accordance with its ethos and values, the determination of the guiding principles and key objectives shall remain the responsibility of the Directors.

At all times, the Directors and the Academy Councils shall ensure that the work of all academies is conducted in accordance with the objects of FCAT, the terms of any lease governing the use of the land which is used for the purposes of an FCAT Academy and any agreement entered into with the Secretary of State for Education in relation to the funding agreements of the academies and The Trust.

### 3 Structure

<p><b>Fylde Coast Academy Trust – Members</b></p> <p><b>Fylde Coast Academy Trust – Board of Directors</b></p> <p><b>Interim Chief Executive Officer</b></p> <p><b>Interim Director of Education</b></p> <p><b>Academy Councils</b></p> <p><b>Executive Headteachers</b></p> <p><b>Academy Headteacher</b>      <b>Academy Headteacher</b></p>	<p>5 Members, meeting annually.</p> <p>9 independent Directors, recruited to ensure a broad range of skills defined in the Governance Handbook are met.</p> <p>Temporary position until Easter 2021, seconded two days per week from Ormiston Academy Trust</p> <p>Temporary enhanced post until Easter 2021</p> <p>Each academy has an Academy Council – comprising 11 Governors including the Executive Headteacher, Headteacher, up to 5 FCAT appointed governors, 2 elected parent governors and 2 elected staff governors. Meetings are twice per term</p> <p>Operating across several academies</p>	<p><b>Responsibilities</b></p> <ul style="list-style-type: none"> <li>• Oversee Governance arrangements</li> <li>• Receive the Annual Accounts</li> <li>• Appoint financial auditor</li> <li>• Sets the strategic direction for FCAT.</li> <li>• Oversees the financial performance of FCAT.</li> <li>• Reviews the central support functions.</li> <li>• Holds the CEO to account for performance.</li> <li>• Approves capital projects costing £50,000 or more.</li> </ul> <p>The Interim CEO is responsible to the directors for the overall operation of the trust. The Interim Director of Education is responsible to him for the operation of the trust on a day to day basis.</p> <ul style="list-style-type: none"> <li>• Set the strategic direction of the academy.</li> <li>• Holds the academy Headteacher to account for performance.</li> <li>• Oversees the financial performance of the academy.</li> <li>• Monitors closely pupil progress and outcomes.</li> <li>• Approves capital projects costing £10,000 or more.</li> <li>• Oversight of quality assurance and improvement in several academies.</li> <li>• Line management of one or more academy headteachers.</li> <li>• Consistency across academies.</li> <li>• FCAT strategy development within the Executive Operational management of the academy including pupil outcomes, behaviour, staffing and finances.</li> <li>• Promoting the academy in the community.</li> </ul>
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## Structure

### 3.1 Fylde Coast Academy Trust (FCAT)

Each Academy is ultimately governed by the Fylde Coast Academy Trust (“FCAT”) and its’ Board of Directors. The Board of Directors sets the vision and direction for FCAT and has ultimate authority and responsibility.

Article 100 provides for the appointment, by the Directors, of committees to whom the Directors may delegate certain of the functions. The committees of FCAT are the Academy Councils, Audit Committee, Search and Remuneration Committee and Safeguarding Board. In addition, Working Parties, Task Groups, and Panels may be established and convened by the Board of Directors if required.

In recognition of the Directors’ power to delegate under Articles 105 and 107, FCAT Directors delegate authority to appropriate persons as follows:

- Delegation of the governance of each Academy to a Local Governing Body known as the Academy Council;
- Delegation of the operational management of each Academy to the Interim Chief Executive Officer, the Interim Director of Education and the relevant Executive Headteacher as agreed.

## 4 Roles & Responsibilities

### 4.1 FCAT Members

- Oversee the Trust’s governance arrangements;
- Amend the Articles of Association subject to any consents required by third parties e.g. consent of the Charity Commission and the Secretary of State for Education (through the Education and Skills Funding Agency). This must only be done to strengthen governance arrangements;
- Appointment and removal of Directors;
- Receive, though not approve, the Annual Accounts. FCAT Directors approve the annual accounts once they are prepared. Members must receive the accounts by 31<sup>st</sup> May each year, the date by which the accounts ending 31<sup>st</sup> August of the previous year, must be filed with Companies House;
- Appointment and re-appointment of financial auditors

### 4.2 FCAT Directors

- Accountability to external government agencies, including the Department for Education (and any successor bodies), for the quality of the education provided and the establishment of systems through which they can assure themselves of quality, safety and good practice;
- Overall responsibility and ultimate decision making authority for all the work of FCAT, including the establishing and running of Academies;
- A duty to act in the fulfilment of FCAT’s objectives. The Directors have the power to direct change where required;
- Set and review the ethos, vision and direction of FCAT;
- Appointment of non-elected Governors and co-opted Directors

- Appointment and performance management of the Interim Chief Executive Officer, Interim Director of Education, Deputy Chief Executive Officers and Chief Operating Officer, or equivalent posts;
- Approval of Executive Headteacher appointments;
- Hold the Interim Chief Executive Officer and the Interim Director of Education to account for standards at all FCAT Academies;
- Approval and review of all policies and procedures required by law and best practice including but not limited to:
  - Complaints Procedure
  - Admissions Policy
  - Health & Safety Policies
  - HR policies
  - Finance Procedures
  - Permanent Exclusion Procedure
  - Safeguarding Procedures;
- A regard to the interests of all Academies for which FCAT is responsible in deciding and implementing any policy or exercising any authority in respect of an Academy;
- Appointment and removal of Academy Council Governors ( see below)
- Final approval of proposed capital programmes costing over £50,000;
- Final approval of Academy and central budgets;
- Oversight of financial monitoring across FCAT;
- Overall responsibility for the financial performance of the trust as a whole;
- Absolute discretion to review this Scheme of Delegation at least on an annual basis and to alter any provisions of it. In considering any material changes to this Scheme of Delegation or any framework on which it is based, the Directors will have regard to and give due consideration of any views of the Academy Councils.

#### **4.2 Interim Chief Executive Officer / Interim Director of Education**

- Accountability to the Board of Directors for the quality of the education provided;
- Preparation of all policies required by law and best practice for submission to the Board of Directors;
- Implementation and monitoring of all policies and procedures, reporting progress and matters of concern to the Board of Directors;
- Appointment of Executive Headteachers, Academy Headteachers, and Academy Deputy Headteachers;
- Line management of Executive Headteachers and Academy Headteachers;
- Preparation of Academy and Central budgets for submission to the Academy Councils and Board of Directors;
- Financial monitoring across FCAT;
- Oversight of quality improvement processes and corporate services.

#### **4.3 Executive Headteachers**

- Implementation and monitoring of all policies and procedures, reporting progress and matters of concern to the CEO and the FCAT Executive;

- Overall responsibility for quality improvement processes and improving pupil outcomes via line management of one or more Academy Headteachers;
- Identification of and response to specific needs in individual academies;
- Engagement with the quality improvement groups;
- Representation with outside bodies;
- Provide support and challenge to the Academy Headteacher(s);
- Provision of support for inspection.

#### **4.4 Academy Headteacher**

- Ensure the vision for the academy is clearly articulated, shared, understood and acted upon effectively by all;
- Translate the vision into agreed objectives and operational plans to promote and sustain improvement;
- Motivate and work with academy employees to create a shared culture and positive climate;
- Determine, organise and implement a diverse, flexible curriculum with an effective assessment framework;
- Establish creative, responsive and effective approaches to teaching and learning;
- Ensure a consistent and continuous academy-wide focus on pupil achievement using data and benchmarks to monitor progress in every child's learning;
- Develop a culture and ethos of challenge and support;
- Demonstrate and articulate high expectations and set stretching targets;
- Monitor, review and evaluate classroom practice and promote improvement strategies;
- Challenge underperformance at all levels and ensure effective corrective action and follow up;
- Implement strategies which secure high standards of behaviour and attendance;
- Take a strategic role in the development of new and emerging technologies to enhance and extend the learning experience of pupils;
- Implement policies and procedures effectively in line with FCAT requirements;
- Manage the academy financial and human resources effectively and efficiently;
- Manage and organise the academy environment effectively and efficiently;
- Accountable to the Academy Council for the quality of education at their Academy;
- Develop and present a coherent, understandable and accurate account of academy progress and performance to a range of audiences including the Academy Council;
- Link with FCAT central support services to ensure consistent approaches of strategies and policies.

#### **4.5 Academy Council**

- Set and review the vision and direction for each Academy within the framework of FCAT's vision;
- Approve the Academy budget;
- Oversee financial monitoring of their Academy;
- Hold the Academy Principal to account for standards at their Academy and report regularly via the Chair of Governors to the Directors;
- Provide support and challenge to the Academy Headteacher;

- Approve any capital spending over £10,000.
- Support the Academy Headteacher with a limited number of statutory duties, e.g. pupil exclusions;
- Oversee Safeguarding in the academy through nomination of a Safeguarding Governor to attend the FCAT Safeguarding Board;
- Review regularly Health and Safety concerns and the Academy Risk Register.

Academy Councils are not responsible for the operational and day to day management of the Academy. This is the remit of the Academy Headteacher who reports to the Executive Headteacher.

Academy Council meetings will take place at least twice per term. Quoracy at meetings is at least five Governors. The Headteacher and Executive Headteacher are included in this number but the two elected Staff Governors are not.

The Academy Councils may comprise the following:

<b>Type of Member</b>	<b>Number</b>	<b>Term of Office</b>	<b>Selected by</b>
Executive Headteacher	1	Ex-Officio	Appointment as Executive Headteacher by FCAT Board/CEO
Academy Headteacher	1	Ex-Officio	Appointment as Academy Headteacher by CEO and Academy Council, assisted by Executive Headteacher
FCAT Governor	Up to 5	4 years	Appointment by FCAT Board with reference to the skills matrix following an interview process and on recommendation from the Search and Remuneration Committee.
Staff Governor	2	4 years	Staff election – secret ballot to be organised by Academy in line with the Election Policy. Due to potential conflicts of interest, members of the Senior Leadership Team are not eligible to apply.
Parent Governor	2	4 years, or duration of child's time in school, whichever is shortest.	Parent election – secret ballot to be organised by Academy in line with the Election Policy or appointment by Academy Council with reference to the skills matrix following an interview process

The Chair and Vice-Chair of each academy council will be appointed by the FCAT Board.

The Academy Councils will ensure that governance arrangements are conducted effectively and within statutory powers and that the Academies receive effective challenge and direction. FCAT will provide each year a number of training opportunities for its Governors. All Governors are expected to attend a Governor Away Day normally in March/April to consider the strategic direction of FCAT, to assess the effectiveness of the Academy Council and to receive essential updating.



A Governor shall cease to hold office by resignation, removal or disqualification in line with the Articles of Association.

Clerking of the Academy Council will normally be provided by FCAT's central services as part of the resource charge.

#### **4.6 Safeguarding Board**

The Safeguarding Board is formed from representatives from each of the FCAT Academies and provides assurance on safeguarding matters to each institution and a platform for sharing best practice. It is led by an independent Chair with acknowledged experience and expertise in the field of safeguarding and will meet 5 times in each academic year.

Its responsibilities are to:

- Provide assurance to the FCAT Board of Directors in matters of safeguarding;
- Monitor the progress of current Safeguarding Plans and development plans in each institution;
- Monitor staff training;
- To scrutinise each institution's safeguarding policies and procedures and provide advice on changes as appropriate.
- Undertake detailed reviews into a range of safeguarding cases, two or three per institution throughout the year selected by the Safeguarding Board with the aim of:
  - 1) Establishing and sharing best practice;
  - 2) Identifying opportunities to improve processes and procedures;
  - 3) Working collaboratively with Senior Leadership Teams to implement enhanced safeguarding processes;
  - 4) Proposing additional links to external agencies to improve each institution's responses;
- Advise each institution's Academy Council on matters concerning the quality and effectiveness of safeguarding activities, including new policy and training initiatives;
- Recommend to each institution's Academy Council appropriate targets for improvement in safeguarding activities;
- Consider matters referred by the FCAT Board of Directors or each institution's Academy Council in the area of safeguarding;
- To prepare reports twice yearly on its work and outcomes to the FCAT Board of Directors. These will also be reviewed by the local Academy Council or Corporation.

The Safeguarding Board will comprise of the following:

- 1 Independent Chair (appointed by FCAT Board of Directors)
- FCAT's Safeguarding Lead
- The Designated Safeguarding Lead and an appropriate staff member from each academy.
- The Safeguarding Governor from each academy.

## 5 Central Functions and Quality Improvement

A fee, usually expressed as a percentage of the income of each Academy, is levied which enables all Academies access to a range of functions and services as and when required. This includes support for the school improvement, development plans and quality assurance. If necessary, specific charges may be made for bespoke services or intervention as required e.g. long term or significant leadership support.

In order to benefit from collective purchasing opportunities, FCAT will use its Finance Panel in conjunction with the Academies and partners to ensure consistent value for money and high quality of service.

## 6 Budget Setting

All final Academy and Group budgets for the following academic year must be submitted to the FCAT Board of Directors for approval by June 30 each year. Budgets require authorisation by the Academy Headteacher, Executive Headteacher and Academy Council prior to being presented to the FCAT Board. Budgets should always be submitted on a surplus basis in line with the Reserves Policy unless prior approval has been obtained. Any unbudgeted deficit or anticipated deficit should be advised to the FCAT Board of Directors immediately on occurrence, discovery or first expectation.

All Academy Headteachers, in conjunction with their Academy Council and Executive Headteacher will submit to the FCAT Board of Directors for approval their Academy Improvement Plan for the following academic year by 30 June each year and their SEF for the previous academic year by 31 October immediately following the end of the academic year.

Academy Headteachers will work within specific parameters as follows:

- Staffing costs to remain below 75% total income
- Budgets and actual financial outcomes to run at a surplus in line with the Reserves Policy

The Board of Directors may set additional parameters where it is thought to be appropriate. It is acknowledged that for new academies joining the Trust there may be a legacy curriculum in place. This may require a plan to adjust to the above performance indicator over time.

## 7 Communications

The Academy Council will receive at least one week in advance of the meeting:

- Academy Headteacher Report (standard format)
- Financial Monitoring Report

Meetings of the Academy Councils will take place in advance of the Board of Directors meeting. The Board of Directors will receive papers for meetings at least one week in advance of meetings.

## 8 Associated Policies

This scheme of delegation should be read in conjunction with the following policies:

- Terms of reference as appropriate
- Financial Regulations
- Governor/Director/Staff Code of Conduct

- Human Resource Management Policies
- Admissions Policies
- Complaints Procedure
- Health & Safety Policy