



Parallel Learning Trust



Scheme of Delegation

April 2018

Review date: April 2020

Introduction and Statement of Intent

The Scheme of Delegation (SoD) explains the ways in which the Directors and others, fulfil their responsibilities for leadership and management of the Academies, the respective roles and responsibilities of the Directors and the members of the Academy Councils and the commitments to each other to ensure the success of the Parallel Learning Trust

The Scheme of Delegation is the key document defining which functions have been delegated and to whom. It is a systematic way of ensuring Members, Trustees, Committees (including Academy Council committees), executive leadership and Academy Headteachers are clear about who has responsibility for making which decisions within the Trust. This SoD covers all decision making in the Trust. It should not be confused with the written scheme of delegation of financial powers referred to in the Academies Financial Handbook. Those persons with financial accountabilities must read this SoD in conjunction with the most recent version of the “Academies Financial Handbook for Academy Members, Trustees, Accounting Officers, Chief Financial Officers and auditors”. This Scheme of Delegation has been put in place by the Directors from the Effective Date in accordance with the provisions of the Trust’s Articles of Association (“the Articles”) (Article 101).

The scheme will:

- Ensure the executive leadership is clear about which decisions will remain in control of the Trust board
- Ensure that the role of the executive leadership is fully understood throughout the MAT
- Promote a culture of honesty and accountability
- Identify responsibility for the appointment and performance management of the CEO/Executive Headteacher and Academy Headteachers
- Identify responsibility for policy and practice in each Academy
- Identify responsibility for oversight of each Academy’s budget
- Identify responsibility for assessment of risk in each Academy
- Identify responsibility for oversight of educational performance in each Academy

Approved by: Board of Directors

Responsibility for review: Full PLT Board

- Approved on: **April 2018** Review date: **April 2020**

As a charity and company limited by guarantee, the Parallel Learning Trust (“PLT”) is governed by a Board of Directors (“Trustees”) who are responsible for, and oversee, the management and administration of the Trust and the Academies run by the Trust. This Scheme of Delegation applies to all Academies for which the Trust is responsible (the “Academies”). Any reference to “the Academies” in this Scheme of Delegation refers to all Academies within the Trust.

Each Academy is ultimately governed by the PLT. The PLT shall have regard to (but for the avoidance of doubt shall not be bound by) any guidance published by the Secretary of State regarding Academy

Governance. The PLT will establish, for each Academy, an Academy Council or Advisory Board, whose governors' role is to oversee the running of the Academy on behalf of the PLT.

The PLT will decide the membership of each Academy Council or Advisory Board based on the needs of the provision and current performance. However, this document is also intended to stress the critical role that Academy Councils have and their decision-making powers. The Directors are accountable to external government agencies including the Charity Commission and the Department for Education (including any successor bodies) for the quality of the education they provide and they are required to have systems in place through which they can assure themselves of quality, safety and good practice. The key purpose of the PLT and its bodies is to help PLT academies to provide the best possible education and opportunities for pupils within the ethos of 'excellence and equity for all children'. They do this through making decisions collaboratively by:

- Setting the values, vision and strategic aims for each Academy which involves:
 - agreeing plans and policies,
 - helping to set and maintain the broad framework within which the Headteacher and the staff should run the Academy, and
 - making creative use of resources;
- Monitoring and evaluating performance which involves:
 - acting as a critical friend to the Chief Executive Officer, and Headteachers, to support and challenge them in managing the Academy
 - asking the challenging questions of Chief Executive Officer, and Headteacher and, where appropriate, Academy staff
- Ensuring that the Academy is accountable to the children and parents it serves, to its local community, to those who fund and maintain it, as well as to the staff it employs
 - accountability for what is best for children overrides other priorities. Decisions will be based upon needs and best interests of students.

Governance structure and lines of accountability :

The Board of Trustees of a Multi Academy Trust delegate responsibility for delivery of the vision and strategy to the lead professional of the MAT, who is increasingly being termed a chief executive officer (CEO). The MAT board will hold the CEO to account for the performance of the Trust, including the performance of the Academies within the Trust. The CEO in turn holds other senior executives to account by line managing them. While the Board cannot ever delegate its accountability, it can and must delegate some of the detailed scrutiny, oversight and decision making as per the schematic interpretation of the SoD.

The role of the Members :

The Members of the Trust have a different status to Trustees. Originally, they will have been the signatories to the memorandum of association and will have agreed the Trust's first articles of association (a document which outlines the governance structure and how the Trust will operate). The articles of association will also describe how Members are recruited and replaced, and how many of the Trustees the Members can appoint to the Trust board. The Members appoint Trustees to ensure that the Trust's charitable object is carried out and so must be able to remove Trustees if they fail to fulfil this responsibility. Accordingly, the Trust Board submits an annual report on the performance of the Trust to the members. Members are also responsible for approving any amendments made to the Trust's articles of association.

While Members are permitted to be appointed as Trustees, in order to retain a degree of separation of powers between the Members and the Trust Board, and in line with DfE expectations, not all Members should be Trustees. The DfE has amended the model articles to state that members are not permitted to be employees of the Academy Trust.

The role of the Trustees :

The Trustees are the charity Trustees (within the terms of section 177(1) of the Charities Act 2011) and 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 Board of Trustees is the accountable body for the performance of all schools within the Trust and as such must:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the executive to account for the educational performance of the schools and their pupils, and the performance management of staff
3. Oversee the financial performance of the Trust and make sure its money is well spent

The Trust Board is permitted to exercise all the powers of the Academy Trust. The Trust Board will delegate to the chief executive responsibility for the day to day operations of the Trust. The Trustees can determine whether to delegate any governance functions.

The Trust has the right to review and adapt its governance structure at any time which includes removing delegation.

The role of the Chief Executive Officer :

The Chief Executive Officer (CEO) has the delegated responsibility for the operation of the Trust including the performance of the Trust's Academies and so the CEO performance manages the Academies Headteachers.

The CEO is the accounting officer so has overall responsibility for the operation of the Academy Trust's financial responsibilities and must ensure that the organisation is run efficiently and with financial effectiveness and stability; avoiding waste and securing value for money.

The CEO leads the executive management team of the Academy Trust. The CEO will delegate executive management functions to the executive management team and is accountable to the Trust Board for the performance of the executive management team.

The underlying principles for this Scheme of Delegation are;

1. That all Academies in the MAT are treated equally irrespective of their length of membership or type of Academy
2. That all statutory obligations are met
3. That representatives on each Academy Council are best able to service the needs of their Academy and their local community.
4. That the PLT Board's intention is to be as 'light-touch' as possible within the Scheme of Delegation in order for Academy Councils and Governors to make decisions at a local level to fully meet the needs of the students and the local community.

The role of the Headteacher :

The Academy Headteacher is responsible for the day to day management of the Academy and is managed by the Chief Executive or Executive Headteacher but reports to the AC/AB on matters which have been delegated to them by the Board.

In order to ensure that the Trust functions properly the scheme of delegation allows for an appropriate degree of delegation at each level of the Trust. The Trust will delegate to Academy Councils from September 2016 in line with the financial scheme of delegation. Academy Councils and Advisory Boards will be responsible for ensuring balanced budgets. It is therefore important that the structure of individual budgets is clear and the scheme of delegation is in line with central and local Academy budgets. For this purpose, the Trust will split budgets into two main categories: central, (managed and controlled by the Trust), and local Academy budgets, (managed and controlled by each Academy) for further finance information please refer to Appendix 2.

The role of the Local Academy Council / Advisory Board :

The Trust Board will establish Local Governing Committees (Academy Councils), appoint the chair, ensure two parents are elected and will determine what will be delegated. As a committee of the Board, delegation can be removed at any time. Typically, responsibilities may include:

- Building an understanding of how the school is led and managed
- Monitoring whether the school is:

- Working within agreed policies
- Is meeting the agreed targets
- Managing its finances well
- Engaging with stakeholders
- Reporting to the Board
- Act as the panel when reviewing the Academy Headteacher's decisions on exclusions, and parents' complaints
- Be the consultative body for the Academy's stakeholders
- Represent the Academy's stakeholders
- Forge links with the community
- Act as an ambassador for the Academy

SECTION 2: Memberships and Terms of Reference for Committees and Academy Councils

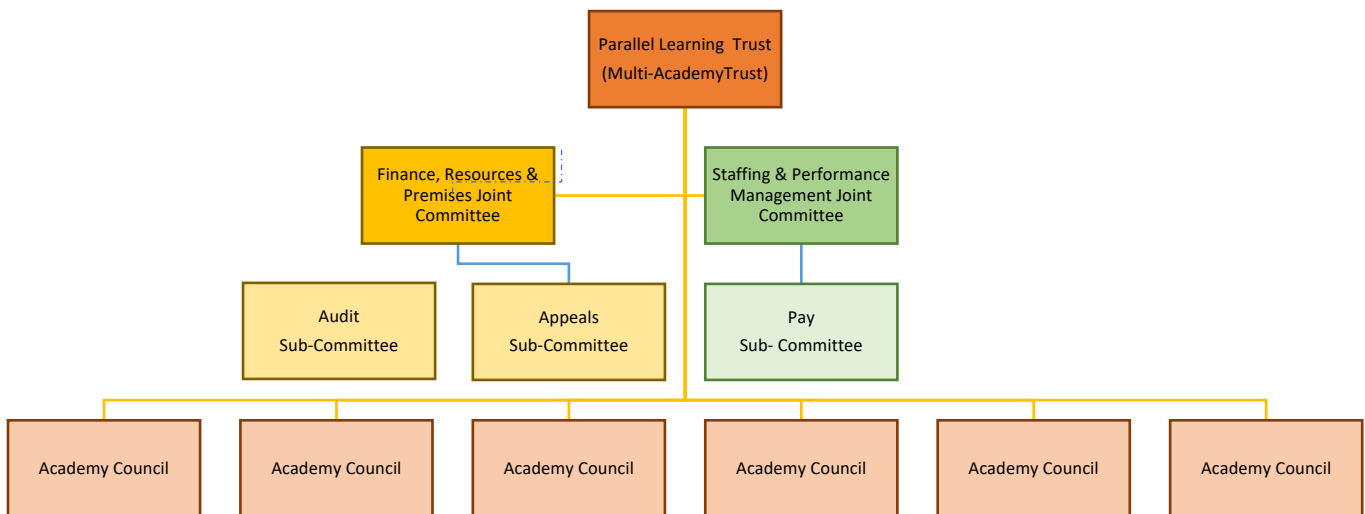
The membership, quorum and frequency of meetings for the joint Committees (including Committees) of the Parallel Learning Trust (PLT) and Academy Councils have been determined by the PLT.

The membership, quorum and frequency of meetings for the Committees of the Academy Councils (AC) have been determined by the relevant Academy Council.

All Joint Committees, Sub-Committees of the PLT and AC's must be chaired by a Director. All bodies shall follow the procedures required by the School Governance Regulations 2014.

General and specific responsibilities, and Terms of reference for Committees and Councils are explained in the Parallel Learning Trust Governor Handbook.

Committee structures



Terms of Reference for committees of the Trust (See Governors handbook)

- a) Finance, Resources and Premises Joint Committee
 - a. Appeals Sub-Committee (of Finance, Resources and Premises Joint Committee)
- b) Staffing & Performance Management and Safeguarding Joint Committee
 - a. Pay Sub-Committee (of Staffing & Performance Management Joint Committee)
- c) Audit Committee (as required)

Articles of Association

The following are the relevant clauses from the Articles of Association that explain delegation (Articles 105-106). (N.B. Local Governing Bodies referred to in the text are now named Academy Councils)

Article 105. The Directors may delegate to any Director, committee (including any Local Governing Body), the Chief Executive Officer/Executive Headteacher or any other holder of an executive office, such of their

powers or functions as they consider desirable to be exercised by them. Any such delegation shall be made subject to any conditions the Directors may impose and may be revoked or altered.

Article 106. Where any power or function of the Directors has been exercised by any committee (including any Local Governing Body), any Director, the Chief Executive Officer/Executive Headteacher or any other holder of an executive office, that person or committee shall report to the Directors in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the Directors immediately following the taking of the action or the making of the decision.

Communication between the Board and Academy Council

The Board will meet 5 times per calendar year (one of which is the AGM) and more often as and when necessary.

Members will meet 3 times per calendar year (one of which is the AGM).

Feedback from the PLT will be a standing item on all Academy Council agendas.

Composition of Parallel Learning Trust (PLT) Board

Chair (Annual Election)

Vice Chair (Annual Election)

Chief Executive PLT

A minimum of 4 additional Directors, 2 of which Chair subsequent sub committees (4 year term)

Company Secretary to PLT

2 Executive Directors

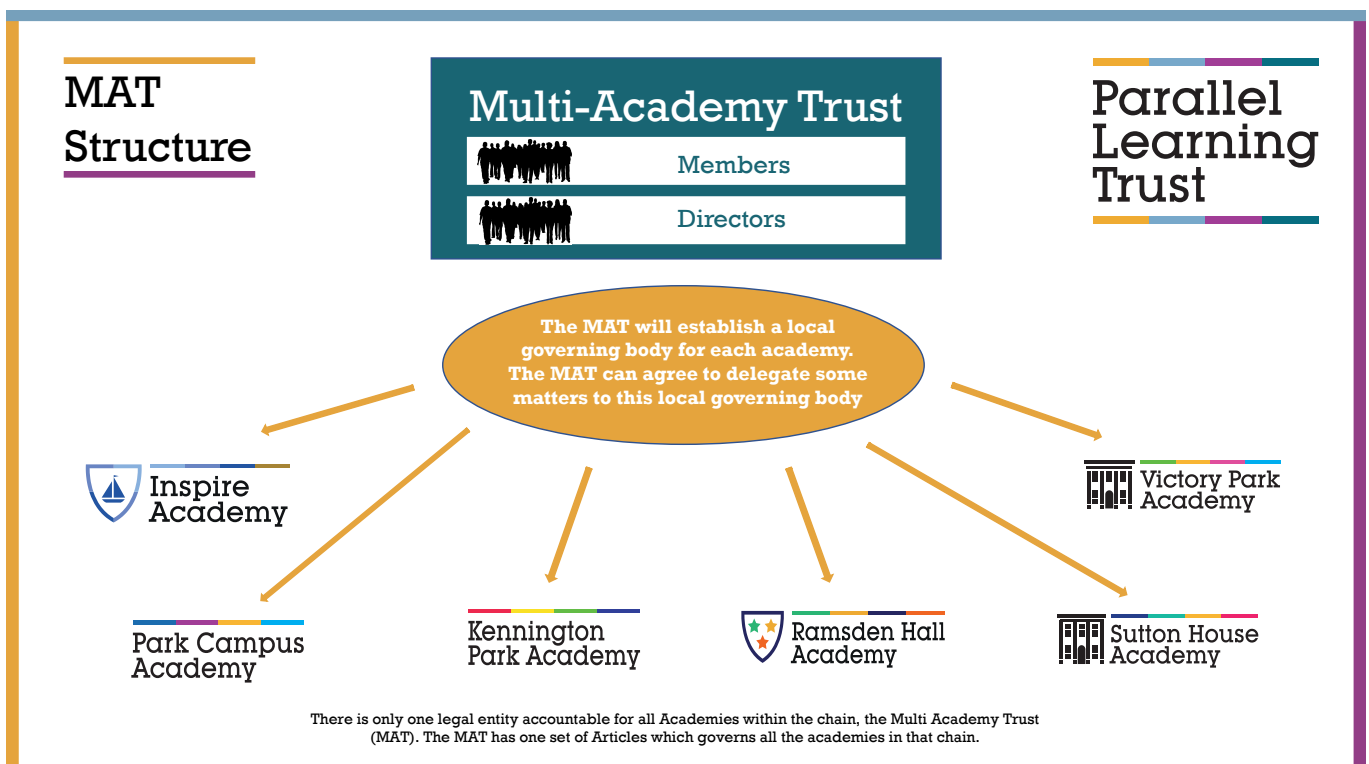
Composition of Academy Councils

Type of Member	Number	Term of Office	How they are elected
Chief Executive Officer	1	Indefinite	N/A – by appointment as Chief Executive Officer
Executive Headteacher	1	Indefinite	N/A – by appointment as Executive Headteacher
Headteacher	1	Indefinite	N/A – by appointment as Headteacher
Sponsor Governor (including Chair and Vice Chair)	Up to 8	4 years	By Parallel Learning Trust Board resolution. The Board will take into account any representations made by the Academy Council when considering the re-election of the Sponsor Governor
Teaching staff Governor	1	1 year	Teacher election – secret ballot to be organised by the relevant Academy
Support staff Governor	1	1 year	Support staff election – secret ballot to be organised by the relevant Academy

Parent Governor	2	2 years	Parent election – secret ballot to be organised by the relevant Academy
Clerk to the Academy Council	1	Indefinite	To be appointed by the PLT Board

Governance

The Articles of Association allow the PLT to set up Committees and Academy Councils and to delegate functions to them. The tables below set out the delegated functions of the various bodies. This structure may be varied from time to time by the PLT. The Articles of Association, in Articles 100-104, set out the membership, terms of reference and procedures of the PLT. Article 101 sets out the powers of the PLT to constitute Committees and Academy Councils including their membership and terms of reference. These must be reviewed annually.



Operations

Academy Improvement

The ultimate responsibility for the deployment of Academy improvement resources lies with the Chief Executive Officer/ Executive Headteacher. This will be based on identified need. Academy Headteachers

should discuss their requirements with their line manager who will then broker that support on their behalf.

General scheme of delegation

Delegated Duty	Delegated Authorities	Approvals (where required)	Comment
Admissions	Academy Council		All Academies will follow the Local Authorities admission policies and their own at post 16 taking into account Local Authority admission policies.
Capital Programme	PLT	Finance & Resources Manager and Chief Executive Officer (Academy Council for consultation only)	Proposed capital programmes need to be submitted by June each year with the
Capital Programme Contract Variations	1. Academy Council – if within agreed programme budget/contingency	Finance Director and Chief Executive Officer, Academy Council, Headteacher	It is suggested that a 15% contingency is built into all programmes to allow for some local contract variation during the programme.
	2. PLT – if exceeding agreed programme budget/contingency	PLT Chair, CEO	
Health and Safety	1. PLT and Academy Headteacher		It is the responsibility of PLT 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 Academy Headteacher and their team.
Income Generation	Academy Council		A percentage of the income generated belongs to each individual Academy for them to invest in the future learning of the students. The remainder will be retained by the PLT for special projects
	PLT		Funding of special projects will be determined by an annual bidding process.

Insurance	PLT		PLT will use the purchasing power of the PLT to ensure that all Academies receive best value and value for money with their insurance.
Investments	PLT		PLT currently invest any surplus monies on behalf of each Academy in high interest accounts. All interest generated from such investments reverts back to the individual Academy
Permanent Exclusions	Headteacher and Academy Council		All Academies will follow national procedures for permanent exclusions and independent permanent exclusion appeals.
Service Level Agreements / Contracts	PLT		<p>It is the responsibility of the PLT to negotiate new SLAs/ Contracts and to ensure that they are receiving value for money and quality of service.</p> <p>From time to time the PLT may procure SLAs on behalf of all academies as part of a best value review. PLT will, in respect of each Academy, act in accordance with, and be bound by, all relevant statutory and regulatory provisions for safeguarding.</p>
Safeguarding	Academy Headteacher		All Academies will follow PLT's policy on safeguarding

For levels of financial decision making please refer to Appendix 3.

Where the estimated value of a Contract exceeds the current EU procurement threshold, then the Contract shall be tendered in accordance with the appropriate Regulations.

For information, current (May 2016) OJEU thresholds are as follows (<http://www.ojec.com/thresholds.aspx>):