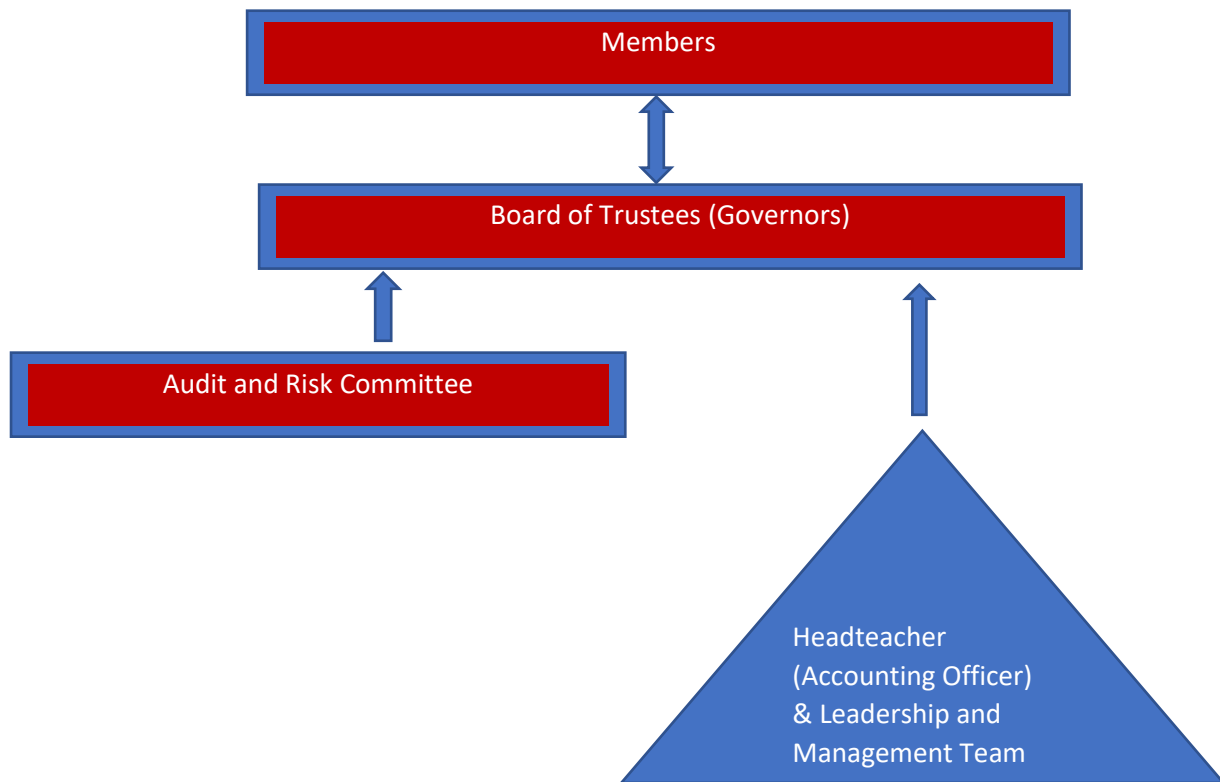


## Old Earth School Scheme of Delegation



## Old Earth School Single Academy Trust Scheme of Delegation

### **Terms of reference:**

The following have terms of reference which detail their functions.

- Board of Trustees
- Audit and Risk Committee
- Pay Panel
- Pupil Discipline Panel
- Staff Discipline and Grievance Appeal Panel
- Headteacher Performance Management Sub Committee
- Complaints Panel

### **Governance structure and lines of accountability**

The Board of Trustees (Governing Board) delegate responsibility for the day to day running of the academy to the Headteacher. The Trustees (Governors) will hold the Headteacher to account for the performance of the academy. The Headteacher in turn holds other members of the Leadership and Management Team (LMT) by line managing them. While the Trustees cannot ever delegate its accountability, it delegates some of the detailed scrutiny, oversight and decision making.

The Headteacher will report to the board on the performance of the academy, this will be supplemented by the monitoring of the Audit and Risk committee and individual trustees with any delegated responsibilities.

- The Headteacher is performance managed by the Headteacher Performance Management Sub Committee.

### **Roles and responsibilities**

#### ***The role of members***

The members of the trust have a different status to trustees. The articles of association 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 the Board of Trustees submits an annual report on the performance of the trust to the members. Members are responsible for approving any amendments made to the trust's articles of association.

Not all members should be trustees and members are not permitted to be employees of the academy trust.

### ***The role of the trustees***

The trustees are both charity trustees (within the terms of section 177(1) of the Charities Act 2011) and company directors. Because trustees are bound by both charity and company law, the terms ‘trustees’ and ‘directors’ are often interchangeably.

The trustees are responsible for the general control and management of the administration of the trust, and in accordance with the provisions set out in the memorandum and articles of association and its funding agreement, it is legally responsible and accountable for all statutory functions, for the performance of the trust, and approves a written scheme of delegation of financial powers that maintains robust internal control arrangements. It carries out three core governance functions:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the executive to account for the educational performance of the trust 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 Board of Trustees has the right to review and adapt its governance structure at any time which includes removing delegation.

### **The role of the trust board audit and risk committee**

The trustees have established the audit and risk committee to carry out, in accordance with The Academies Financial Handbook financial scrutiny and oversight.

### **The role of the senior executive leader (Headteacher)**

The Headteacher has a delegated responsibility for the operation of the trust.

The Headteacher is the accounting officer and 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, avoiding waste and securing value for money.

The Headteacher leads the Leadership and Management Team (LMT) of the academy trust. The Headteacher will delegate the management functions to the LMT and is accountable to the trust board for the performance of the LMT.

**Old Earth School Scheme of Delegation.**

Key
Level 1: Members
Level 2: Board of Trustees/ Chair
Level 3: Audit and Risk Committee
Level 4: Individual trustee
Level 5: Senior Executive Leader (accounting officer) and LMT
<b>Blue box Function cannot be carried out at this level</b>
✓ Action to be undertaken at this level
<b>A</b> Provide advice and support to those accountable for decision making
≤ ≥ Direction of advice and support

Old Earth School Single Academy Trust Scheme of Delegation

Area	Decision	Delegation				
		Members	Trust Board Or Chair	Audit and Risk Committee	Individual trustee	Senior Executive Leader (& LMT)
Government framework						
People	Members: Appoint/Remove	√				
	Members: Appoint 1 Trustee as a Member	√				
	Members appoint 1 Trustee to the Trust Board	√				
	Trustees: Appoint/Remove		√			
	Role descriptions for members/ Chair	√				
	Role descriptions for trustees/chair/ specific roles/ committee members: agree		√			
	Parent trustees: elected		√			
	Committee chairs: appoint and remove		√			
	Clerk to board: appoint and remove/ or Chair		√			
Systems and structures	Articles of association: agree and review	√	<A			
	Determine or change the name of the Trust	√	<A			
	Dissolve the Trust (if the trust becomes insolvent)	√	<A			
	Governance structure (committees) for the trust: establish and review annually		√			
	Terms of reference for trust committees (including Audit and Risk, and scheme of delegation): agree annually		√			
	Skills audit: complete and recruit to fill gaps		√			

Old Earth School Single Academy Trust Scheme of Delegation

Area	Decision	Delegation				
		Members	Trust Board Or Chair	Audit and Risk Committee	Individual trustee	Senior Executive Leader (& LMT)
	Annual review of trust board and committee performance complete annually		√			
	Chair’s performance: carry out 360 review periodically		√			
	Trustee contribution: review periodically/ or Chair		√			
	Succession: plan		√			
	Annual schedule of business for trust board: agree		√			<A
<b>Reporting</b>						
Reporting	Trust governance details on trust website:ensure		√		<A	<A
	Register of all interests, business, pecuniary, loyalty for members/trustees: establish and publish		√			<A
	Annual report on performance of the trust: submit to members and publish		√	<A		
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		√	<A		<A
	To determine whether to publish a home school agreement (not statutory)					√

Old Earth School Single Academy Trust Scheme of Delegation

	Overall responsibility for ensuring that statutory requirements for information published on the school website, including required details of governance arrangements, performance, financial and equality data are met.		√		<A	<A
	To publish and update at least annually a SEN information report (meeting requirements set out in the Special Educational Needs and Disability Regulations 2014)		√			√

Area	Decision	Delegation				
		Members	Trust Board Or Chair	Audit and Risk Committee	Individual trustee	Senior Executive Leader (& LMT)
Being strategic						
	Determine trust policies which reflect the trust's ethos and values including: admissions; expenses; data protection and FOI; SEN, safeguarding and child protection and curriculum: approve		√			<A
	Determine trust staffing policies which reflect the trust's ethos and values including appraisal, capability, discipline, NQT's, conduct and grievance: approve		√			<A
	Determine trust policy for complaints, health and safety, accessibility plan and premises management: approve		√			<A

Old Earth School Single Academy Trust Scheme of Delegation

Being strategic	Establish a trust policy for RSE					√
	Determine a behaviour and discipline policy that promotes good behaviour among pupils and defines the sanctions to be adopted.		√			<A
	To draft content of school behaviour policy and publicise it to staff, students and parents/carers.					√
	To annually determine admission arrangements and to carry out consultation where changes are proposed, or where the governing board has not consulted on their arrangements in the last 7 years.		√			<A
	Ensure a broad and balanced curriculum is in place.		√			<A
	To set the times of school sessions and the dates of school terms and holidays.		√			<A
	Agree enrichment/ extra-curricular offer including any additional services required.		√			<A
	Imbed agreed curriculum and enrichment offer within the day to day operation of the academy trust					√
	To establish and agree a Pay policy		√			
	Management of risk: establish register, review and monitor		√	<A	√	<A
	Engagement with stakeholders	√	√		√	√
	Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine	A>	√			<A
	Headteacher: Appoint and dismiss		√			



Old Earth School Single Academy Trust Scheme of Delegation

	To decide whether to join or form a multi-academy trust	A>	√			<A
	Budget plan to support delivery of trust key priorities: agree		√			
	Academy staffing structure: agree		√			<A
	Appoint teaching staff, deputy and business manager		A>			√
	Appoint non-teaching staff, caretaking and catering staff					√

Area	Decision	Delegation				
		Members	Trust Board Or Chair	Audit and Risk Committee	Individual trustee	Senior Executive Leader (& LMT)
Holding to account						
Holding to account	Auditing and reporting arrangements for matters of compliance (eg safeguarding, H&S, employment, returns to ESFA): agree		√	<A	<A	<A
	Internal Scrutiny, procure services for internal scrutiny, agree programme of work (based on risk register) and report to ESFA (Internal Scrutiny Report)		√	<A		
	To produce and maintain a central record of recruitment and vetting checks					√
	To have due regard to the need to prevent people from being drawn into terrorism and to oversee the incorporation of the necessary procedures and practices outlined in the Prevent duty into the child protection policy		√		<A	<A
	Reporting arrangements for progress on key priorities: agree		√			<A

Old Earth School Single Academy Trust Scheme of Delegation

	Performance Management of the Headteacher: undertake		√			
	Performance Management of staff: undertake					√
	Establish and review procedures for addressing staff discipline, conduct and grievance		√			
	Trustee monitoring: agree arrangements		√			
	To review all permanent exclusions and fixed term exclusions where the pupil is either excluded for more than 15 days in a term or would lose the opportunity to sit a public examination.		√			
	To ensure that health and safety regulations are followed					√
	Ensure that school lunch nutritional standards are met					√
	Maintain a register of pupil attendance					√
	To ensure provision of free meals to those pupils meeting the criteria, including Universal Infant Free School Meals					√

Area	Decision	Delegation				
		Members	Trust Board Or Chair	Audit and Risk Committee	Individual trustee	Senior Executive Leader (& LMT)
Ensuring financial probity						
	Chief financial officer/ Academy Business Manager for delivery of trusts detailed accounting processes: appoint		√			

Old Earth School Single Academy Trust Scheme of Delegation

Ensuring financial probity	Trust’s scheme of financial delegation: establish and review		√	<A	<A	<A
	Appoint and remove External Auditor	√	<A	<A	<A	<A
	External auditor’s report: receive and respond		√	<A		<A
	Headteacher pay award: agree		√			
	Staff appraisal procedure and pay progression: monitor and agree		√			<A
	Benchmarking and academy trust value for money: ensure robustness		√	<A		<A
	Develop trust procurement strategies and efficiency savings programme			√		<A
	To approve the first formal budget plan each financial year		√			
	To agree annual action plans and monitor how school premiums are spent (i.e. PE and Sports Premium, Pupil Premium and Catch Up Premium).		√			<A
	To establish and agree charging and remissions policy		√			
	Buildings insurance and personal liability and staff absence insurances.		√			