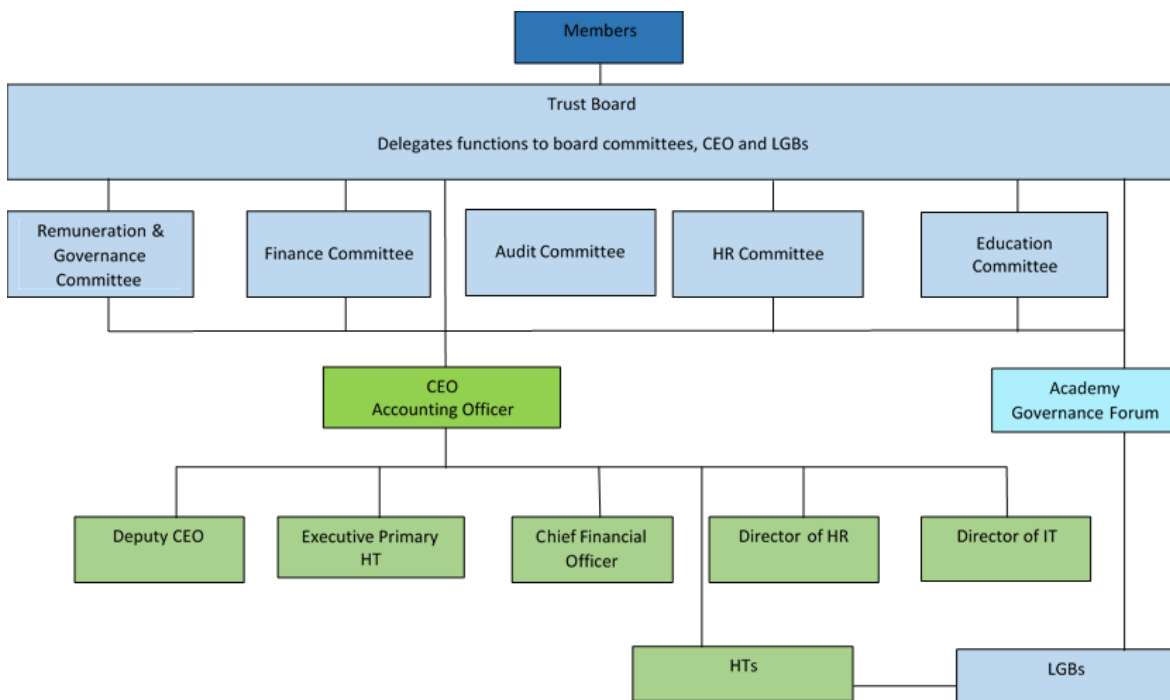


SCHEME OF DELEGATION V2.0 October 2019

Introduction

The Scheme of Delegation sets out the delegated powers between the different bodies involved in the governance and operation of the Anglian Learning multi academy trust



Roles & Responsibilities

(i) The role of the Members

The Members of the Trust are guardians of the governance of the Trust and as such have a different status to Trustees. Originally, they were the signatories to the Memorandum of Association and agreed the Trust's first Articles of Association (the legal document which outlines the governance structure and how the Trust will operate). The Articles of Association 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.

There must be at least three Members, although the DfE prefer at least five, and 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. Members are not permitted to be employees of the Academy Trust.

(ii) The role of the Trustees

The MAT 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. Because Trustees are bound by both charity and company law, the terms 'trustees' and 'directors' are often used 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 all schools within the Trust, and must approve a written scheme of delegation of financial powers that maintains robust internal control arrangements. In addition, it must carry out the 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's 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 Board of Trustees has the right to review and adapt its governance structure at any time which includes removing delegation.

(iii) The role of 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 membership (there must be at least three Trustees) and responsibilities of Board committees are set out in the relevant committee's terms of reference. It is usual for the Trust Board to appoint board committee chairs and committee members according to their skills.

The Academies Financial Handbook 2018 makes it clear that the Board of Trustees should have a finance committee to which the board delegates financial scrutiny and oversight. In trusts with income above a certain level, there must also be a separate audit committee.

Currently, the Anglian Learning Trust Board has established the following committees: Finance and Audit; Education; Human Resources; and a Remuneration Committee. An Academies Governance Forum also meets as a conduit for communication with Chairs of Governors but does not have delegated powers.

(iv) The role of the Chief Executive Officer (CEO)

The CEO has the delegated responsibility for the operation of the Trust including the performance of the Trust's Academies and accountability for the work of the Academy Principals and Headteachers. As there is the delegation of some governance functions to Academy Local Governing Bodies, this is usually with the Academy LGB Chair alongside. The CEO is the Accounting Officer and therefore 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 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.

(v) The role of Local Governing Bodies

The Trustees have established Academy LGBs to carry out some of its school level governance functions, although as Trustees are not required to sit on Academy committees, decision making is limited as outlined in the Scheme of Delegation. Nevertheless, the Trust believes that LGBs have a important role in overseeing and promoting high standards of performance in academies and representing a wide range of stakeholders. Usually the Trustees will appoint the Chair, and ensure that two parents are elected. As a committee of the Board, delegation to individual LGBs can be removed at any time. The Trust has produced a LGB Handbook which describes in detail the responsibilities of the local board.

(vi) The role of the Academy Principal/Headteacher

The Academy Principal/Headteacher is responsible for the day to day management of the Academy and is managed by the Chief Executive Officer, DCEO or Executive Headteacher but reports to the LGB on matters which have been delegated to it which may include an element of monitoring and scrutiny of the school's management processes.

Academy Performance

Anglian Learning’s overarching aspiration is to ensure that in all of our schools, progress is significantly above national expectations, in all categories and for all students within the Trust. Each academy should be actively working towards securing its position within the highest performing 10% of schools nationally.

To achieve these aims the Trust will provide the levels of support required against 3 tiers of performance criteria, set out in the table below and underpinned by the Anglian Learning Quality Assurance Framework and the ongoing assessment of risk.

	Indicators	Examples of Central Leadership Team/Trust action	Delegated Powers
Tier 1	<ul style="list-style-type: none"> Progress sig + for two or more years Likely Ofsted rating Good or Outstanding Clear plans in place to raise outcomes further 	<ul style="list-style-type: none"> Standard QA monitoring 	<ul style="list-style-type: none"> Standard Scheme of Delegation (SoD)
Tier 2	<ul style="list-style-type: none"> Progress in-line with national expectation Likely Ofsted rating RI or Good/Outstanding and progress declining Unacceptable levels of risk or poor performance in key areas as identified within the Data Dashboard Evidence of lack of compliance with the Anglian Learning Charter 	<ul style="list-style-type: none"> Targeted support and resources available Areas of concern identified and monitored closely. Revised QA process Direct support and challenge from DCEO/Exec Headteacher to oversee the implementation of the Academy Improvement Plan T&L and curriculum decisions approved by DCEO/Executive Principal Senior leadership and other key appointments approved by DCEO/EP Direct support from FD to oversee deficit recovery plans 	<ul style="list-style-type: none"> SoD amended in key areas, as appropriate, in light of ongoing Risk Assessment activities Consideration of review of LGB
Tier 3	<ul style="list-style-type: none"> Overall progress sig – for 1 year Progress in a number of key areas, such as core subjects, learner groups, &/ year groups, sig- for 1 year Ofsted rating Inadequate Likely Ofsted rating RI and standards declining or static Unacceptable levels of risk or poor performance as identified within the Data Dashboard 	<ul style="list-style-type: none"> Additional support and resources as appropriate Full external review of LGB performance Development of Action Plan led by DCEO/Executive Headteacher. Implementation of revised QA process All key decisions determined by DCEO/Executive Headteacher, in conjunction with Trust Leadership Team and Trust Board. 	<ul style="list-style-type: none"> Full review of SoD

Delegated Powers

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 Funding Agency, Charities Commission, HMRC and Companies House.

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:

- Approve (A)
- Recommend (R)
- Consulted (C)
- Implement (I)

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 comprehensive it will not cover every task.

Trust & Academy policies

Attached to this Scheme of Delegation is a policy matrix which identifies the range of statutory, regulatory and necessary policies and states whether they are Trust or Academy policies. The Scheme of Delegation sets out the responsibility for approval and monitoring of these policies.

#	Task Key: Approve (A), Recommend (R) Propose (P), Develop (D), Monitor & Report (M), Consulted (C), Implement (I)	Notes	Board	LGB	CEO/Exec P	Academy Principal
1.	Governance					
1.1.	Approve Trust Articles of Association	Members only	R		R	
1.2.	Approve Trust Board Terms of Reference		RA		R	
1.3.	Approve Trust Scheme of Delegation		RA	C	R	
1.4.	Approve new convertor or sponsored academies joining Anglian Learning		RA		R	
1.5.	Establish Trust Committees		RA		R	
1.6.	Approve Trust Committee Terms of Reference		RA		R	
1.7.	Approve Local Governing Body (LGB) Terms of Reference		RA	R	R	
1.8.	Establish LGB sub committees			A		R
1.9.	Appoint Chair of Trust Board		A			
1.10.	Appoint Chair of LGB		A	R		
1.11.	Remove Chair of LGB	In exceptional circumstances	A	R		
1.12.	Appoint (and remove) Vice Chair of LGB	In exceptional circumstances	A	R		
1.13.	Appoint (and remove) LGB members	In exceptional circumstances	A	R		
1.14.	Appoint (and remove) Chair(s) of Trust Committees		A		R	
1.15.	Appoint (and remove) Trust Committee members		A		R	
1.16.	Appoint (and remove) Clerk to Trust Board		A		R	

1.17.	Appoint (and remove) Clerk to LGB			RA		R
1.18.	Organise calendar of Trust Board and LGB meetings		A		R	
2.	Trust & Academy Performance, Curriculum and Teaching					
2.1.	Trust Strategic Plan & Quality Assurance		A		R	
2.2.	Academy Performance Targets		A	R	R	
2.3.	Academy Performance Review <i>e.g. SEF</i>			A		R
2.4.	Academy 3 year plan			A		R
2.5.	Academy 1 Year Plan (improvement plan)			A		R
2.6.	Academy Policies:	Appendix 1		A		R
2.7.	Trust Policies:	Appendix 1 Approval by Board or cttee as agreed for each policy	A*	Monitor as required by policy	R	
3.	Staff Policies and Pay					
3.1.	Changes to Employee Terms & Conditions	Consulted as per policy	A		R	
3.2.	Terms & Conditions for new academies	Due Diligence	A		R	
3.3.	Teachers Annual Pay Award	As per Pay Policy	A		R	
3.4.	Support Staff Annual Pay Award	As per Pay Policy	A		R	
3.5.	CEO and Directors' Pay Award	Remuneration committee	RA			
3.6.	Principal Pay Award & Perf Review	As per Trust policy	A	A	R	
3.7.	Individual Performance Pay Awards	As per Pay Policy		A		R
3.8.	Trust wide leadership support staff pay awards	As per Pay Policy	A		R	
3.9.	Review of Academy's HTPR	As per Pay Policy	A	R	R	
4.	Staff Management					
4.1.	CEO appointment		RA			
4.2.	Executive Management Team appointments	As per policy	A		R	
4.3.	Trust staff structure & complement		A		R	
4.4.	Academy staff structure			A		R
4.5.	Principal & Dep. Principal appointment	As per policy	A	R	R	
4.6.	Senior leadership appointments	As per delegated authority		A	C	R
4.7.	Teaching and support staff appointments	As per policy		C		A
4.8.	Suspension of CEO/Executive Management Team	As per policy	RA			
4.9.	Return of CEO/Exec Principal after suspension		RA			
4.10.	Dismissal of CEO/Executive Management Team		RA			
4.11.	Suspension of Principal	As per policy	C	C	A	
4.12.	Return of Principal after suspension			C	A	
4.13.	Dismissal of Principal		A	C	R	

4.14.	Dismissal & suspension of teaching and support staff				C	A
4.15.	Return of teaching and support staff after suspension	As per policy		A	C	R
4.16.	Redundancy of staff			A	C	R
4.17.	Restructuring of staff where fewer than 5 redundancies in 6 mths			A	C	R
5.	Financial Governance & Management					
5.1.	Appoint Trust auditors	F&A C'ttee	A			
5.2.	Trust 3 year Budget Plan		A		R	
5.3.	Trust 1 year Budget		A		R	
5.4.	Trust Annual Accounts	F&A C'ttee	A			
5.5.	Trust Capital Plan		A		R	
5.6.	Trust Academies Accounts Return to EFA		A		A	
5.7.	Response to Auditor's Management Ltr	F&A C'ttee	A			
5.8.	Academy 1 year Budget		A	R	R	
5.9.	Academy 3 year Capital Plan		A	R	R	
6.	Financial Authorisation					
6.1.	Expenditure or contracts up to Lower Limit	As per policy				A
6.2.	Expenditure or contracts from Lower Limit to Upper Limit	As per policy		A	C	R
6.3.	Expenditure or contracts from Upper Limit to OJEU limit	As per policy	C	A	R	R
6.4.	Expenditure over OJEU limit	As per policy	A		R	
6.5.	Disposals or write off of stock, assets or debts up to Lower Limit	As per policy				A
6.6.	Disposals or write off of stock, assets or debts from Lower Limit to Upper Limit	As per policy		A	R	R
6.7.	Disposals or write off of stock, assets or debts over Upper Limit (up to AFH limit)	As per policy	A		R	R
6.8.	Compensation payments up to £50,000	EFA threshold	A		R	C
7.	Academy Changes & Procedures					
7.1.	Academy times, terms and holidays		A		R	R
7.2.	Change of Academy Age Range		A	R	R	
7.3.	Expansion of Academy PAN		A	R	R	
7.4.	Extension of Academy provision		A	R	R	
7.5.	Extended services on-site			A		R
7.6.	Short-term Exclusion	As per DfE policy				A
7.7.	Return after short-term exclusion	As per DfE policy				A
7.8.	Direction of off-site education					A
7.9.	Permanent Exclusions	As per DfE policy		A		R
7.10.	Appeals against Permanent Exclusion	As per DfE policy	I			
7.11.	Admissions allocation of places					A
7.12.	Admissions Appeals	Independent Panel	I			
7.13.	Academy prospectus			A		R
7.14.	Academy website			A	C	R
7.15.	Academy logo & branding			A	C	R

7.16.	Academy uniform			A	C	R
8.	Premises & Assets					
8.1.	Trust Asset Management Plan	See 5.12	A	R	R	R
8.2.	Academy Estates Plan			A		R
9.	Risk Management					
9.1.	Trust Risk Register		A		R	
9.2.	Academy Risk Register			A		R
10.	Safeguarding					
10.1	Child Protection and Safeguarding Policy		A	Monitor as per policy	R	
10.2	Safer Recruitment of Staff Policy		A	Monitor as per policy	R	

Local Governing bodies and headteachers should consult and seek approval for activity not listed above but which may conflict with the aims, vision and values of the Trust and/or may give rise to contention and controversy which may bring individual academies and the Trust into disrepute.

	POLICY	Statutory	APPROVAL BY				
			Board	F&A	HR	Educ	LGB
HR	Appraisal and Capability Policy	✓			A		
	Annual Leave and TOIL				A		
	Bullying and Harassment Policy				A		
	Code of Conduct				A		
	Disciplinary Rules & Procedures	✓			A		
	Discretionary Leave of Absence				A		
	Employee Well being				A		
	Equality and Diversity Policy	✓			A		
	Flexible Working				A		
	Governor & Trustee Recruitment		A				
	Grievance Procedure	✓			A		
	Job Evaluation				A		
	Lone Working				A		
	Management of Sickness Absence				A		
	Maternity				A		
	Part time Teachers				A		
	Paternity Leave & Pay - adoption				A		
	Paternity Leave & Pay - birth				A		
	Pay Policy	✓			A		
	Pay Protection (support staff)				A		
	Professional Development Scheme				A		
	Public Sector Equality Scheme	✓			A		
	Recruitment Selection Policy and Procedure		A		R		
	Redundancy				A		
	Shared Parental Leave Policy				A		
	Staff Induction				A		
	Staff Probation				A		
	Statement of Procedures for dealing with Allegations of Abuse	✓			A		
	Trade union Membership and Recognition				A		
	Training Scheme (Salary Sacrifice) (Not statutory/staff benefit)				A		
Volunteer and work experience				A			
Whistleblowing	✓			A			
GDPR	Data Protection	✓			A		
	Freedom of Information	✓			A		
	CCTV				A		
	Biometric				A		
	Document Retention				A		
	Photograph & Media				A		
	ICT				A		
	Website				A		

FINANCE	Directors/Governors expenses			A			
	Charging	✓		A			
	Trust & Academy Financial Regulations & procedures	✓		A			
	Reserves			A			
	Asset Management			A			
	Consultancy			A			
	Gifts & Hospitality			A			
	Investment			A			
	Anti Bribery			A			
TRUST	Admissions arrangements	✓	A				R
	Complaints	✓	A				
	Health and Safety	✓	A				
	Safeguarding	✓	A			R	
ACADEMY	Behaviour	✓					A
	Accessibility Plan	✓					A
	Supporting students with medical needs	✓					A
	Special Educational Needs	✓					A
	Sex and Relationships	✓					A
	Attendance	✓					A
	Pupil Premium plan	✓					A

