

# Brent Specialist Academy Trust: Scheme of Delegation

## Key points and summary

This document outlines:

- The requirements of the Articles of Association regarding delegation
- The principles of decision making within the academy trust
- The scheme of delegation within the academy trust
- The respective roles of the Trustees and Executive Headteacher

Approved by:	Board of Trustees
Approved on:	7 March 2017
Next Review date:	Summer 2018 for 2018/19 academic year
Responsibility for review:	Principal

## 1. Introduction and statement of intent

1. The Academy Trust believes that:
  - a. Members of the Trust should appoint effective Trustees and hold them to account for the performance of the Trust;
  - b. The Board of Trustees will focus upon:
    - i. strategy and policies for the overall trust that would enhance student performance, operational efficiency, or learning between academies;
    - ii. the educational performance of each school and the trust overall; and
    - iii. the financial and operational performance of each school and the trust overall.
  - c. Operational and managerial decisions should be delegated to the Executive Headteacher; and
  - d. The Executive Headteacher should delegate operational decisions among their staff with a view to keeping decision making as close as possible to the operational impacts as possible.

## 2. Scope and applicability

2. This policy outlines the framework for decision making within the Academy Trust. It applies to all members, trustees, and staff.

## 3. The Articles of Association

3. The following are the relevant clauses from the Articles of Association that outline what can, and cannot, be delegated. The Articles of Association are DfE standard documents where the following clauses are not adjusted by individual academy trusts.
  - Article 93: “Subject to provisions of the Companies Act 2006, the Articles and to any directions given by special resolution, the business of the Company shall be managed by the Trustees who may exercise all the powers of the Company.”
  - Article 100: “Subject to these Articles, the Trustees:
    - may appoint committees to be known as Local Governing Bodies for each Academy (and the same Local Governing Body may be appointed for more than one Academy); and
    - may establish any other committee.”
  - Article 101: “Subject to these Articles, the constitution, membership and proceedings of any committee shall be determined by the Trustees. The establishment, terms of reference, constitution and membership of any committee of the Trustees shall be reviewed at least once in every twelve months. The membership of any committee of the Trustees may include persons who are not Trustees, provided that (with the exception of the Local Governing Bodies) a majority of members of any such committee shall be Trustees. Except in the case of a Local Governing Body, no vote on any matter shall be taken at a meeting of a committee of the Trustees unless the majority of members of the committee present are Trustees.”
  - Article 105: “The Trustees may delegate any of their powers or functions (including the power to sub-delegate) to any Trustee, committee (including any Local Governing Body), the Chief Executive Officer or Principals or any other holder of an executive office. Any such delegation shall be made in writing and subject to any conditions the Trustees may impose, and may be revoked or altered.”

- Article 105A: “A Trustee, committee (including any Local Governing Body), the Chief Executive Officer, the Principals or any other holder of an executive office to whom a power or function of the Trustees is delegated under Article 105 may further sub-delegate those powers or functions (or any of them) to a further person. Where any power or function of the Trustees is sub-delegated by any person to whom it has been delegated, that person must inform the Trustees as soon as reasonably practicable which powers and functions have been further delegated and to whom, and any such sub-delegation shall be made subject to any conditions the Trustees may impose, and may be revoked or altered.”
  - Article 106: “Where any power or function of the Trustees has been exercised by any committee (including any Local Governing Body), any Trustee, the Chief Executive Officer or Principals or any other holder of an executive office, or a person to whom a power or function has been sub-delegated under Article 105A, that person or committee shall report to the Trustees in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the Trustees immediately following the taking of the action or the making of the decision.”
  - Article 107: “The Trustees shall appoint the Chief Executive Officer and the Principals of the Academies. The Trustees may delegate such powers and functions as they consider are required by the Chief Executive Officer and the Principals for the internal organisation, management and control of the Academies (including the implementation of all policies approved by the Trustees) and for the direction of the teaching and curriculum at the Academies.”
4. The Board of Trustees will not delegate to any individual or committee the following functions about the operation of trust governance:
- the constitution of the Trust;
  - the appointment or removal of the chair and vice-chair of the Board;
  - the appointment of the clerk to the Board;
  - the suspension of Trustees;
  - the establishment of trust-wide committees.
5. The Academy Trust uses the terms:
- Members to describe individuals who have the right to vote at General Meetings held in accordance with the Articles of Association;
  - Trustees to describe individuals who have the right to vote at Board meetings and who are registered as Directors at Companies House;
  - Principal rather than Chief Executive; and
  - Headteacher or Head of School rather than Principal.

## **4. Responsibilities under the policy**

### **Members**

6. In accordance with Article 46, the Members will appoint the majority of Trustees. The key roles of the members are therefore to:
- Appoint Trustees who have the skills, knowledge and experience to enable the Board to fulfil its obligations effectively
  - Hold the Chair of Trustees to account for the performance of the Board, and expect the Chair to manage the other Trustees effectively.
7. When there is a vacancy for a Member appointed Trustee, the Board will undertake a skills and experience audit, identify the skills / experience desired in a new Trustee in order for the Board to have appropriate skills to meet its obligations / responsibilities and to deliver the

medium term strategy for the trust, and identify a suitable shortlist of candidates. The Members will then interview and appoint the individual that they consider to be most appropriate.

### **Board of Trustees**

8. In accordance with Article 93, the Board of Trustees is able to exercise all of the powers of the Academy Trust. It is responsible for the performance of the Trust.
9. The Board of Trustees will always seek to arrive at the best solution for the Trust. To achieve this it will challenge, scrutinise, ask questions, and seek information and options from itself, other committees, and employees in order to ensure effective oversight of the Trust and to improve the performance of the Trust. The Board will also offer support, constructive advice, and act as a sounding board for ideas for employees.
10. The Board must designate a named individual as its accounting officer. The accounting officer is responsible to the Board for the overall management of the Trust and personally responsible to Parliament for the resources under their control. Jayne Jardine shall be the accounting officer of the Academy Trust and will fulfil the role of Chief Executive (although shall be referred to as Principal).
11. In accordance with the requirements of the Academies Financial Handbook, the Trust shall appoint a Chief Finance Officer (CFO) to lead the Finance Department. Janice Alexander will be the CFO.
12. The Board expects Members (and Trustees when co-opting Trustees) to appoint individuals with appropriate skills and expertise to enable the Board to discharge its functions effectively. It anticipates that it will include many of the following skills / experiences:
  - Leadership / governance of education, including special educational needs and disabilities
  - Financial management / oversight, accountant / auditor
  - Procurement / commercial expertise
  - Property management / capital project / construction
  - Human resources
  - Law
  - Broader children's services (including safeguarding)
  - Marketing / communications
  - Programme / change management
  - Non-executive / governance experience
  - Local community expertise

### **Committees and sub-committees**

13. The Board of Trustees may establish a structure of Committees as appropriate. These Committees will act in an advisory capacity to the Board of Trustees except where powers have been specifically delegated to them by the Board of Trustees.
14. The Board of Trustees shall establish the following committees:
  - a. Standards Committee; and
  - b. Resources Committee.
15. The terms of reference for each committee is outlined in Appendix One. Appendix Two outlines Panels that will be convened as required.
16. Each committee will elect a Chair from amongst its number. The Chair of any committee established at 'Trust level' must be a Trustee. Each committee will establish its clerking arrangements.

17. The Board anticipates establishing Local Governing Bodies for the 2020/21 academic year or when a third school joins BSAT. At that point it will expect each Local Governing Body will aim to include individuals who bring a variety of suitable skills and experiences that enable the LGB to discharge its responsibilities effectively. It also expects each LGB to include individuals drawn from staff and parent bodies of the school(s). The following table outlines in the first column the skill sets that may be considered to be beneficial, and in the second column an indication of the type of composition that may be adopted. It is more important to secure the right skill sets, than secure people from particular stakeholder constituencies.

Desirable skills and experiences	Potential composition
<ul style="list-style-type: none"> <li>• Educational leadership / governance expertise, including SEND expertise</li> <li>• Expertise in other public services delivering to our community (i.e. health, children's services)</li> <li>• Financial understanding</li> <li>• Legal expertise</li> <li>• Commercial / contracts expertise</li> <li>• Property expertise (such as surveyor, construction, architect)</li> <li>• Human Resources expertise</li> <li>• Marketing and business development expertise</li> <li>• Local community knowledge and expertise</li> </ul> <p>This list is not exhaustive.</p>	<ul style="list-style-type: none"> <li>• 1 Headteacher / Head of School (ex-officio)</li> <li>• 1 or 2 members of staff (via nomination / election / appointment)</li> <li>• 2 parents</li> <li>• 3 appointed by the Board based on ensuring a breadth of suitable skills</li> <li>• 3 co-opted by the LGB based on having skills and experience that will assist the LGB</li> </ul>

18. All Trustees are expected to share the values of the Trust, including a commitment to ensuring every child reaches their potential, and a commitment to safeguarding. All Trustees are also expected to have a commitment to working as an active member of their committee, establish professional relations, to be willing to learn, and to undertake appropriate training to ensure that they can fulfil their responsibilities.
19. The following is the anticipated annual schedule of meetings. Annex Three sets out the anticipated timing and main agenda items for each meeting.

Autumn term	Spring term	Summer term
BoT 1 Standards 1 Resources 1	Standards 2 Resources 2	Standards 3 Resources 3
Half-term		
BoT 2 Members 1	BoT 3	BoT 4 Members 2

Each committee and sub-committee will determine the dates and timings of its meetings for the academic year to maximise attendance and effectiveness.

### Principal and staff

20. The Chief Executive shall be referred to as the Principal. That postholder is responsible for the internal organisation, management and control of the Academy Trust, for advising on and implementing the Trust's strategic framework, and for the implementation of all policies approved by the Trustees. Jayne Jardine is the Principal.
21. The Principal is responsible for leading the internal organisation, management and control of each school alongside the leadership team, including implementing policies approved by the Trustees, and for the direction of the teaching and the curriculum within the schools.
22. The Principal will recommend trust-wide strategy and policy to the Trustees and to ensure that the trust fulfils its charitable objects.

23. The Principal will formulate aims and objectives and policies and targets for each school in consultation with the respective leadership team, and these will be considered by Trustees as appropriate. The Principal will report to the Trustees on progress.
24. The Principal and all staff are accountable to Trustees for the performance of each school and the trust overall.
25. Trustees will be prepared to explain their decisions and actions to anyone who has a legitimate interest. This may include staff, pupils and parents as well as the local authority or the Secretary of State.
26. The Principal will comply with any direction by the Board.
27. The Principal will agree and monitor appropriate delegations of authority with other staff.

## 5. Performance and Risk based approach to delegation

28. The Academy Trust believes that delegation of functions and levels of delegation should relate to the performance and risk associated with the delegation. High performing schools, with strong and stable leadership, should have the higher levels of delegation.
29. Accordingly, Appendix Four includes 'standard' delegations and 'variable' delegations. Schools that are performing well and with normal levels of risk will receive the 'standard' delegation. If schools are not performing as well, or are considered higher risk, they may have reduced delegation in specified areas to reflect their current situation.
30. The Board may vary the level of financial delegation from the 'standard' delegation that is set out in Appendixes Four and Five.
31. The Board will determine the appropriate levels of delegation for each Committee or postholder.
32. The Board will make its decisions based upon any or all of the following:
  - a. External evaluations, which may be of educational performance (such as Ofsted), financial management (such as audit processes or the EFA), or operational management (such as Health and Safety inspections).
  - b. Information available within the academy trust, such as student progress, financial monitoring, staffing information etc
  - c. Changes in staffing at a school, in particular of its senior leadership.
  - d. The advice of the Principal.
33. The table below details the current areas of 'variable delegation' applying to each school. These will be reviewed as appropriate, and at least annually through the review of this Scheme of Delegation.

School	Areas of variable delegation
Manor School	None
The Avenue	None

## 6. Appendices

Appendix One: Committee Terms of Reference

Appendix Two: Panels

Appendix Three: Meeting agendas

Appendix Four: Decision and Responsibility Matrix

Appendix Five: Summary of financial delegations

Appendix Six: Policies

## Appendix One: Committee Terms of Reference

### General notes

All committees have the following responsibilities. To:

- receive reports about matters relating to any of the issues listed in their terms of reference;
- contribute to, monitor and evaluate relevant parts of the academy or Trust self-assessment and improvement / development plans;
- contribute to, monitor and evaluate the policies allocated to them, reporting or making recommendations to the LGB or Board of Trustees as appropriate;
- consider recommendations from relevant external reviews for example audit, Ofsted or local authority review, to agree the actions needed to address any issues identified and to monitor and evaluate regularly the implementation of any plan agreed, reporting or making recommendations to the LGB or Board of Trustees as appropriate;
- consider the views of students when these have been sought;
- consider the impact on equality, and act with regard to the equality duty at all times;
- act in accordance with the requirements of the Articles of Association, Funding Agreements, statutory DfE guidance, and the Nolan principles of public life at all times;
- take appropriate action on any other relevant matter.

### The General Equality Duty

In accordance with the Equality Act, whereby the Academy Trust is a public body, all committees must have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The following are the protected characteristics within the Equality Act:

- Age (not pupils)
- Disability
- Ethnicity and race
- Gender
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Religion and belief
- Sexual identity and orientation

### Nolan 7 principles of public life

1. Selflessness – holders of public office should act solely in terms of the public interest.
2. Integrity – holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
3. Objectivity – holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability – holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
5. Openness – holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
6. Honesty – holders of public office should be truthful.
7. Leadership – holders of public office should exhibit these principles in their own behaviours. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## **a) Board of Trustees**

### **Purpose**

The Board of Trustees is accountable for the performance of the Trust. To discharge this accountability it will retain responsibility for:

- setting the vision and strategy for the Trust;
- ensuring the quality of educational provision within the Trust;
- challenging and monitoring the performance of each school within the Trust;
- managing the Trust's resources effectively;
- appointing the Chief Executive, Headteachers / Heads of School, and Chief Finance Officer;
- ensuring that the Trust complies with charity and company law;
- ensuring that the Trust and each school complies with the Funding Agreements; and
- exercising reasonable skill and care in carrying out its duties.

### **Membership, Meetings and Quorum**

Membership: As set out in Articles 46 and 58 of the Articles of Association.

Quorum: As set out in Articles 117 and 119 of the Articles of Association.

Meetings: Article 109 of the Articles of Association requires at least three a year.

### **Reserved Decisions**

The following Reserved Decisions will not be delegated to any Committee or individual:

- Approval of the vision and strategy for the Trust;
- Approval of the annual budget for the Trust;
- Approval of the accounts for the previous financial year and Annual Report;
- Approval of acquisition or disposal of freehold or leasehold interests in land;
- Approval of any proposals for other schools to join the Trust (whether these are existing schools or Free School applications), or for any school to leave the Trust;
- Appointment of the Chief Executive and Chief Finance Officer, and the appointment decision about Headteachers on the advice of the appropriate selection panel; and
- Approval of the policies reserved to the Board, including this Scheme of Delegation, Financial Regulations / Policies, employment policies, and policies relating to child protection / safeguarding and health and safety.

### **Terms of Reference**

The Board will make strategic and key financial / operational decisions to enable the Trust to perform as effectively and efficiently as possible. The Board will make decisions and receive monitoring / evaluation reports (with actions / decisions as necessary) regarding:

- The leadership and management of the trust, including the effective deployment of resources (including money, staff, and infrastructure such as site / buildings and ICT);
- The performance of the trust, including targets and measures of educational, financial, and operational performance; and
- The compliance of the trust with its legal and contractual obligations, including safeguarding (including prevent), health and safety, equalities, and the approach to risk identification and management.

The Board will lead on audit and assurance work, including receiving reports from the external auditor and any other agencies reporting on educational, financial, or operational performance of the trust. This will include meeting with the external auditor without management present at least annually.

## **b) Standards Committee**

### **Purpose**

The purpose of the Standards Committee is to understand and challenge the educational provision and performance of all schools within the trust school to ensure that pupil progress, attainment and achievement are maximised and that each school delivers a curriculum in keeping with the trust's aims, all pupil needs and any legal requirements.

### **Membership, Meetings and Quorum**

Membership: A minimum of five Trustees.

Quorum: Half of the Trustees on the committee, which must include the Principal or their representative.

Meetings: The Committee will meet at least termly, with additional meetings as required.

### **Terms of Reference**

The Committee will make decisions and receive monitoring / evaluation reports (with actions / decisions as necessary) to:

- Advise the Board of Trustees on standards and achievement, including statutory or contractual requirements
- Ensure that pupils at all schools receive an appropriate curriculum that is compliant with legal or contractual requirements
- Lead the trust self-evaluation and develop the trust improvement plan and recommend these to the Board of Trustees
- Monitor and review academic and pastoral arrangements to ensure each school delivers a broad and balanced curriculum in keeping with the ethos of the school and DfE statutory requirements.
- Develop appropriate targets for each school and recommending these to the Board of Trustees
- Ensure the promotion of healthy lifestyles including healthy eating, regular consumption of water and appropriate education and information on health related issues.
- Ensure that there are effective and enforceable policies on safeguarding, child protection, bullying and racial issues, reviewing the operation of these policies (including that all pupils have confidence that these issues will be dealt with in an appropriate manner) and recommending or approving changes as required and in accordance with the Scheme of Delegation.
- Ensure that regard is paid at each school to pupils' spiritual, moral, social, emotional and cultural development.
- Ensure that pupils develop their understanding of their rights and responsibilities and have appropriate opportunities to make a positive contribution to the local community.
- Ensure pupils have opportunities to help them achieve future economic well being, understand career options and acquire workplace skills.
- Ensure the curriculum includes appropriate opportunities for educational visits and that these are organised in accordance with best practice.
- Ensure effective provision and good outcomes for students who are vulnerable to underachievement and attainment.
- Monitor, review, and approve or recommend changes as required and in accordance with the Scheme of Delegation.

## **b) Resources Committee**

### **Purpose**

The purpose of the Resources Committee is to ensure that the staffing, financial, and infrastructure (buildings and ICT) resources of the Trust are effective, efficient, and support the objective of maximising pupil outcomes at every school. The Committee will also lead on audit and assurance work.

### **Membership, Meetings and Quorum**

Membership: A minimum of five Trustees.

Quorum: Half of the Trustees on the committee, which must include the Principal or their representative.

Meetings: The Committee will meet at least termly, with additional meetings as required.

### **Terms of Reference**

The Committee will make decisions and receive monitoring / evaluation reports (with actions / decisions as necessary) to:

Regarding staffing, the committee will:

- Approve or recommend policies in accordance with this Scheme of Delegation, and ensure that these policies are implemented;
- Ensure that the staffing structure and establishment of the trust, both teaching and support staff, is effective and appropriate for the vision of the Trust;
- Provide support, guidance and accountability for the Executive Headteacher on all personnel matters, and receive regular reports from the Executive Headteacher on the recruitment, employment, and retention / turnover of staff.
- Determine teachers' and support staff salaries following recommendations from the Principal
- Ensure proper arrangements are in place for an appeal against a decision on pay issues
- Review the School Pay Policy and its implementation in line with DfE regulations and guidelines and report back to Trustees.
- Consider the expertise, resilience and development of the staffing establishment, including succession planning
- Monitor staffing decisions made by the Principal under delegated authority, including involvement in appointment processes as appropriate.
- Ensure that the Single Central Record is complete and accurate and that HR policies and best practice relating to safer recruiting and safeguarding / child protection are adhered to
- Monitor staff work/life balance, working conditions and well-being, including the monitoring of absence and take appropriate actions in accordance with the Scheme of Delegation or make recommendations to the Board of Trustees
- Monitor the quality and impact of CPD

Regarding finance, the committee will:

- Approve or recommend policies in accordance with this Scheme of Delegation, and ensure that these policies are implemented;
- Ensure the trust adheres to the requirements of the Funding Agreement, Academies Financial Handbook, Academy Accounts Direction and other DfE / EFA requirements;
- Develop and recommend the annual trust budget to the Board of Trustees (including any Central Service Charge), within a framework of a medium term (3 year) financial forecast;

- Monitor income and expenditure at each school and for the Trust overall throughout the year and ensure that financial records are complete, timely and accurate;
- Make financial decisions in accordance with this Scheme of Delegation;
- Ensure that procurement is undertaken in accordance with the Financial Regulations and Procedures, and to subsequently make procurement decisions in accordance with this Scheme of Delegation;
- Ensure the audit of non-public funds for presentation to the Board of Trustees; and
- Receive and, where appropriate, respond to periodic audit reports of public funds.

Regarding premises, the committee will:

- Approve or recommend policies in accordance with this Scheme of Delegation, and ensure that these policies are implemented;
- Provide advice or make recommendations to the Board of Trustees about premises issues;
- Ensure that all trustees, staff, and pupils are aware of and comply with the Health and Safety policy; monitor and review the policy and make recommendations to the Board of Trustees; ensure that the policy contains rigorous and comprehensive systems for active monitoring (auditing health and safety management systems, inspections, risk assessments) and reactive monitoring (accident/incident investigation) and rectifying identified faults;
- Monitor and review processes for building and site maintenance, including a programme of inspections, to ensure ongoing legal compliance;
- Ensure the trust seeks funding maintain and improve sites, including accessibility, security and condition of plant, buildings, and sites;
- Ensure that the trust understands and, where possible, improves energy efficiency;
- Oversee capital projects (irrespective of the source of funding);
- Ensure ICT meets needs, is well maintained, refreshed/improved as necessary and meets the requirements of all stakeholders

Regarding audit, the committee will:

- Advise the Board of Trustees and Accounting Officer on the adequacy and effectiveness of the Trust's governance, risk management, internal control and value for money systems and frameworks.
- Advise the Board of Trustees on the appointment, re-appointment, dismissal and remuneration of the external and regularity auditor.
- Determine the need for, and then, where appropriate, the appointment, re-appointment, dismissal and remuneration of, an internal auditor or other assurance provider to ensure that the Trust meets its legal and contractual requirements.
- Determine an appropriate programme of work to be undertaken through the audit and assurance processes. This programme of work will be derived from the Committee's regard of the key risks faced by the Trust, the assurance framework in place and its duty to report to the Board of Trustees.
- Review the external auditor's annual planning document and approve the planned audit approach.
- Receive reports (annual reports, management letters etc) from the external auditor and other bodies, for example the EFA and NAO, and consider any issues raised, the associated management response and action plans. Where deemed appropriate, reports should be referred to the Board or other committee for information and action.
- Monitor outstanding audit recommendations from whatever source and ensure any delays to implementation dates are reasonable.
- Review the Trust's fraud response plan and ensure that all allegations of fraud or irregularity are managed and investigated appropriately.
- Consider any additional services delivered by the external auditor or other assurance provider and ensure appropriate independence is maintained.
- Meet with the external auditor, without management present, at least annually.

## **c) Pay Committee**

### **Purpose**

The Committee is responsible for determining the pay and undertaking the pay review for staff in accordance with the trust's Pay Policy.

### **Membership, Meetings and Quorum**

Membership: Minimum of 3 Trustees, with no Trustees who are employees being eligible for this Committee due to conflicts of interest.

Quorum: 3 Trustees who are entitled to vote.

Meetings: Twice a year following completion of Teaching and Support Staff appraisals (by 31 October) and the Headteacher / Head of School appraisal (by 31 December)

### **Terms of Reference**

The committee's principal duty is to determine the pay and undertake the pay review for staff (except the Principal) in accordance with the trust's Pay Policy. In order to carry out this duty, the committee will:

- Ensure that Pay Policy is applied in a fair and equal manner;
- Ensure that the Trust complies with all statutory and contractual obligations;
- Recommend revisions to the Pay Policy to the Board of Trustees;
- Determine as set out in the Pay Policy:
  - taking account of the recommendation of the Headteacher, the pay progression of each eligible teacher at the annual review carried out by the Pay committee in accordance with the Pay Policy;
  - the award of points on the Leadership Pay Spine for the Headteachers / Heads of School and leadership team;
  - progression on to and on the Upper Pay Range;
  - all other discretionary payments as set out in the Pay Policy;
- Minute clearly the reasons for all decisions and report the fact of these decisions to the next meeting of Board of Trustees;
- Recommend to the Board of Trustees the annual budget needed for pay, ensuring that appropriate funding is allocated for pay progression at all levels; and
- Provide anonymised information to the appropriate Committee from the last three years, which shows the patterns of progression of teachers.

## **d) Principal Performance Review Committee**

Two or three trustees to meet annually with an external reviewer to set and review objectives for the Principal and review their salary.

## Appendix Two: Panels

The following Panels may be convened as required.

1. Complaints Panel – convened as required and subsequent report to the next relevant meeting, including any lessons learned for the school and / or recommendations for policies or procedures.
2. Employment Appeals Panels – convened as required for grievance, dismissal, or dismissal appeal hearings and report and report to the next relevant meeting as appropriate, including any lessons learned for the school and / or recommendations for policies or procedures.
3. Principal / Headteacher / Head of School / Deputy Headteacher / Heads of Faculty appointment Panel – convened as required and report to the next relevant meeting as appropriate, including any lessons learned for the school and / or recommendations for policies or procedures.
4. Pupil Exclusions Panel – convened as required and report to the next relevant meeting, including any lessons learned for the school and / or recommendations for policies or procedures.
5. Pay Appeal Panel – convened as required if a member of staff wishes to appeal against their pay award decision made by the Pay Committee.

In each situation, the Panel will include the appropriate number of Trustees (as specified in the relevant policy or, if not specified, three Trustees) who have not previously been involved with the incident and have no prior knowledge of the incident concerned. For complaint hearings, the panel shall include an individual who is independent from the management and running of any school within the Trust.

Each committee will have an appropriately qualified clerk.

The committee will follow procedures as set down in the relevant policy or as set out in law as appropriate.

If a second or appeal panel is permitted for that particular purpose, this shall include three different Trustees.

For the Pay Appeal the Terms of Reference are:

1. To consider appeals from staff members in relation to pay award decisions made by the Pay Committee.
2. To ensure that the pay appeals process is applied as detailed in the Trust's pay policy.
3. To observe all statutory and contractual obligations.
4. To minute clearly the reasons for all decisions, and report the fact of these decisions to the next meeting of the Board of Trustees.

## Appendix Three: Meeting agendas

This appendix will apply from the commencement of the 2017/18 academic year.

Autumn term	Spring term	Summer term
Standards 1 Resources 1 BoT 1	Standards 2 Resources 2	Standards 3 Resources 3
Half-term		
BoT 2 Members 1	BoT 3	BoT 4 Members 2

Meeting	Items for decision	Items for discussion
Standards 1  3 <sup>rd</sup> week September	Plan key dates/focus items for year	Review performance for previous academic year Note any contextual changes (DfE policy, Ofsted framework etc)
Resources 1  3 <sup>rd</sup> week September	Plan key dates/focus items for year	Term 3 extended assurance report (from summer term) Initial outturn for previous financial year
BoT 1  1 <sup>st</sup> week October	Elect chair and vice chair Approve educational targets for this academic year Approve Trust / School Improvement Plan Approve School Evaluation Form (SEF)	Review progress against previous Trust / School Improvement Plan Risk register
Board of Trustees 2 1 <sup>st</sup> / 2 <sup>nd</sup> week of December	Annual Report and Accounts	First half-term safeguarding, absence / exclusions, behaviour data Month 2 management accounts and forecasts; staffing data Term 1 Principal and SIP reports
Members 1 Immediately after BoT 2	Any Member decisions required (Trustee appointments, Special Resolutions)	Annual Report and Accounts

Standards 2 3 <sup>rd</sup> / 4 <sup>th</sup> week of Jan	SEN review / policy Pupil premium review	Term 1 pupil progress, safeguarding, absence / exclusions, behaviour RaiseOnline / comparative performance data
Resources 2 3 <sup>rd</sup> / 4 <sup>th</sup> week of Jan		Month 4 management accounts and forecasts; staffing data Term 1 extended assurance report Curriculum / staffing changes for next academic year H&S review (inc statutory inspections)
Board of Trustees 3 2 <sup>nd</sup> / 3 <sup>rd</sup> week March	Curriculum / Staffing for next year	Term 1 performance data (educational and operational) Budget approach for next year (Central Service Charge, assumptions regarding costs etc) Month 6 management accounts and forecasts; staffing data Term 2 Principal and SIP reports
Standards 3 1 <sup>st</sup> / 2 <sup>nd</sup> week of May		Term 2 pupil progress, safeguarding, absence / exclusions, behaviour data
Resources 3 1 <sup>st</sup> / 2 <sup>nd</sup> week of May		Review of major school contract performance (catering, cleaning, grounds) Initial budget for next financial year Term 2 extended assurance report (+ programme for next year) Month 9 management accounts and forecasts; staffing data
Board of Trustees 4 2 <sup>nd</sup> week of July	Scheme of Delegation for next year Budget for next year External assurance programme for next year Updated Trust strategy	Review of the school year Month 9 management accounts / forecasts; staffing data Pay policy Risk register
Members 2 Immediately after BoT4	Review of Board and Trustee performance Any Member decisions required (Trustee appointments, Special Resolutions)	Trust performance (educational, financial, operational), including following year budget / priorities

\* Update reports may include recommendations

## Appendix Four: Decision and Responsibility Matrix

This Appendix sets out significant decisions and responsibilities. For each thematic section, text introduces the philosophy and ethos of the trust, which sets the context for the subsequent decisions / accountabilities.

The key to the table is:

**BoT** – Board of Trustees

**Standards** – Standards Committee

**Resources** – Resources Committee

**CEO** – Chief Executive

**AO** – Accounting Officer

**HT / HoS** – Headteacher or Head of School of an academy within the Trust

**CFO** – Chief Finance Officer via the Accounting Officer

**BM** - Business or Finance Manager at an academy via the Headteacher or CFO.

Note: Actions taken by a properly constituted committee, or delegated to an individual trustee or to Chief Executive, Headteacher / Head of School, or Chief Finance Officer, are taken on behalf of the Board of Trustees.

## Governance

The Board is accountable for all decisions of the Trust, and the performance of all schools within the Trust. The CEO is accountable to the Board for performance of the Trust and effective use of public funds. Each LGB and Headteacher / Head of School is responsible for the performance of their school(s).

The Board of Trustees approves the Scheme of Delegation for the Trust, and this details the committee structure along with terms of reference and membership, and outlines who is able to make what decisions (including approving policies). The Scheme of Delegation is reviewed at least annually. The Scheme of Delegation allows for the Trustees to vary the delegation to each LGB or office holder in response to the performance of and risk associated with that school.

Each committee (such as Board or LGB) elects its own chair and determines its detailed working arrangements within the framework set by the Scheme of Delegation.

	Standard delegation						Potential variation
	BoT	Standards	Resources	CEO / AO	HT / HoS	CFO	
Appointing / removing Members							Members
Appointing / removing Trustees (besides CEO)							Members
Approving the Articles of Association							Members and Sec of State
Approving a change of name of the Trust							Members
Appointing / removing the Chair and Vice-Chair of Board of Trustees	✓						
Appointing / dismissing the clerk to the Board	✓						
Appointing / dismissing the clerk to a Committee							Each committee
Appointing the Chair of a committee							Each committee
Appointing and removing co-opted Trustees	✓						
Establishing additional committees or Working Groups etc (including Terms of Reference and membership)	✓						
Approving the Scheme of Delegation (including the committee structures, delegations, and "policy grid")	✓						
Approving the Annual Report and Accounts	✓						Members receive
Determine whether other school(s) should join, or whether any school(s) should leave, the Trust	✓						
Approving the 'role description' for Trustees	✓						

## Financial management

The Board is accountable for the financial performance of the Trust, including receipt of all income due to the Trust and for the effective and efficient expenditure of public funds. The Accounting Officer is accountable to the Board and DfE for expenditure of public money, and the Chief Finance Officer leads the finance function to ensure that the financial policies and procedures approved by the Board are implemented consistently. The Board will approve assurance work to verify that these controls operate appropriately.

It is expected that the budget setting and budget monitoring processes are a combination of 'bottom up' and 'top down' processes – ie the Board would set the approach to central service charge and the delegated funds for each school (which would be expected to be the remainder of the funds provided for that school via the GAG and other government funding streams), each school would then develop a budget within its delegated funds in conjunction with the CFO and CEO, and the overall budget for the Trust would then be approved by the Board. Budget monitoring would similarly be undertaken at school and Trust level and reported to CFO/CEO, LGBs and the Board throughout the year, with a focus upon any potential variances and actions required to ensure that expenditure is within approved levels.

The Accounting Officer is accountable to the Board for compliance of the Trust with the Funding Agreements and the Academies Financial Handbook; the CFO is responsible for ensuring this compliance.

	Standard delegation						Potential variation
	BoT	Standards	Resources	CEO / AO	HT / HoS	CFO	
Maintaining a register of pecuniary and business interests of staff, governors, trustees and members						✓ for Staff	Clerk for BoT / Members
Approving financial procedures (including treasury and accounting policies)	✓						
Approving appointment of external auditors	✓						
Approving programme of extended assurance			✓				
Approving actions following external audit recommendations / findings	✓						
Approving banking arrangements			✓				
Approving the approach to cross-charging / central service charge	✓						
Approving the budget each financial year in accordance with DfE timeframes (including use of any historic accumulated reserves)	✓						
Approving the submission of applications for revenue or capital grants	✓						
Approving lettings policy and fees			✓			✓	

Approving applications for business / procurement cards						✓		
Submitting HMRC returns as required						✓		
Authorising expenditure for approved budgets, where financial procedures (such as procurement) have been followed							As set in financial procedures	Alter level of financial authority of HT / HoS
Approving procurement waivers							As set out in financial procedures	Alter level of financial authority of HT / HoS
Approving the use of a projected in year underspend (Vs approved budget)			✓					Board to retain decisions
Approving virements between budgets							As set out in financial procedures	Alter level of financial authority of HT / HoS
Approving expenses							Line manager for staff, Chair for EHT	Alter level of financial authority of HT / HoS
Approving any disposal of non-land assets							As set out in financial procedures	Alter level of financial authority of HT / HoS
Approving any writing off of debts							As set out in financial procedures	Alter level of financial authority of HT / HoS
Entering into or granting a freehold or leasehold interest in land	✓							
Investigating potential financial irregularities (not involving CEO, HT / HoS, or CFO)				✓				
Investigating financial irregularities (involving CEO, HT / HoS, or CFO )	✓							

## HR / Staffing

The Articles require that Trustees appoint a Headteacher / Head of School, but it is expected that the selection panel would include the CEO, Governors and Trustees, and that this selection panel would make a recommendation to the Trustees about whether to appoint and, if so, who. Similarly, Headteacher / Head of School performance management would involve the CEO with governor involvement, with a salary recommendation to Trustees. CEO performance management would be undertaken by Trustees, seeking input from Headteachers / Heads of School.

For Leadership and TLR posts, it is expected that any posts that become vacant would be discussed by the Trust SLT to consider the needs of the school and the overall trust. It would be the CEO's decision about whether to recruit for the same or a different post, and to instigate any consequent changes to budgets. Headteachers / Heads of School would make recruitment decisions for other staff within their schools, with an expectation that they would – through Trust SLT – collaborate with other schools to ensure a staffing structure that is as effective, efficient, and resilient as possible; this may include establishing new joint posts across two or more schools.

For other HR decisions, the principle is that decisions should generally be made by Heads of School where they affect that school only, and by the CEO where they affect the overall Trust, with Governors and Trustees involved for decisions regarding leadership posts or staff in those posts.

	Standard delegation						Potential variation
	BoT	Standard s	Resource s	CEO / AO	HT/ HoS	CFO	
Approving the staffing establishment for the Trust			✓				
Approving the staffing establishment for a school			✓				Require Board approval
Appointing the CEO and CFO	✓						
Appointing Headteachers / Heads of School	✓			Involved			
Performance management of the CEO	✓						
Performance management of Headteachers / Heads of School (including salary)	✓			✓			SIP involved
Performance management of the CFO				✓			
Approving the commencement of recruitment for posts on Leadership scale, TLR 1 or 2 scales, or support staff on the Leadership Team of a school				✓			
Approving the commencement of recruitment for posts other than posts appointed by the Board or EHT that are within the approved staffing establishment (i.e. like for like replacements or approved new posts)				Involved	✓		EHT decision
Appointing staff who directly report to the CEO or Headteacher / Head of School				✓			
Appointing other teaching staff (including NQTs)					✓		EHT decision

Appointing other support staff				✓ Trust	✓ School		CFO / FM involved as necessary	EHT decision
Approving HR policies	✓							
Authorising payroll provision						✓	FM	
Authorising payroll						✓		
Initiating a review of staffing structures / arrangements				✓	✓			CEO or HT / HoS to initiate as appropriate (CEO approval if include Leadership / TLR posts)
Approval to implement changes to staffing structures / arrangements	✓	✓		✓				Board if include redundancies within Leadership / TLR; Resources if include other redundancies; EHT if no redundancies
Suspending or dismissing the CEO, CFO or a HoS	✓							
Suspending staff besides the CEO, CFO or a HoS				Involved	✓			
Dismissing staff besides the CEO, CFO or a HoS				✓ if Leadershi p / TLR	✓		This includes during probation period	
Approving any leaving payments (redundancy, dismissal, early retirement) in accordance with trust policy				✓	✓		Report to Resources as appropriate	CEO decision

## Educational provision and student matters

It is expected that the LGB and Headteacher / Head of school will determine the educational provision and student matters, with accountability to the CEO and Board for progress and performance of students. The LGB will recommend targets to the Board.

	Standard delegation						Potential variation	
	BoT	Standards	Resources	CEO / AO	HT / HoS	CFO		Other
Propose and determine changes to the school age-range, or the addition / removal or nursery or SEN provision		✓						Board make these decisions
Approving the school day and year		✓						Board make these decisions
Excluding a pupil (fixed term)				Notified	✓			CEO decision or require CEO involvement
Excluding a pupil (permanently)				Notified	✓			
Consulting on and determining an admissions statement for the school		✓						
Objecting to a SEN Statement / EHCP naming the school				Notified	✓			CEO decision or require CEO involvement
Approving any actions required following any external assessments of school performance	✓	✓						
Approving the attendance, progress and attainment targets for the school	✓ Approve	✓ Review		✓ Propose				

## Appendix Five: Summary of financial delegations

Role	Bank forms and government returns	Cheque Signing / BACS Approval *	Purchasing, Procurement and Contract Processing	Budget / Virements
Board of Trustees	<ul style="list-style-type: none"> <li>Approve government returns</li> <li>Approve banking arrangements (and mandates for Trust account(s))</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>Chair: Approve expenses of the CEO</li> <li>Approve all orders and contracts above valued delegated to EHT or Resources Committee</li> <li>Approve waivers requiring the specified number of quotations / tenders for contracts of any value</li> <li>Approve annual staffing establishment</li> </ul>	<ul style="list-style-type: none"> <li>Approve and monitor budget</li> <li>Approve virements over values delegated to Trust Resources Committee</li> </ul>
Resources Committee	<ul style="list-style-type: none"> <li>Approve bank mandates</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>Approve school staffing establishment</li> <li>Approve orders and contracts between CEO level and £250k</li> <li>Approve any necessary procurement waivers for urgent contracts for the same values as for orders and contracts</li> </ul>	<ul style="list-style-type: none"> <li>Monitor revenue and capital budgets</li> <li>Approve virements up to £50k</li> </ul>
Chief Executive / Principal	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>Cheque / BACS approver / signatory</li> </ul>	<ul style="list-style-type: none"> <li>Approve purchase orders and contracts up to £50k</li> <li>Approve staff expenses</li> <li>Authorise new starts / payroll amendments</li> <li>Approve establishment of new temporary staff posts</li> </ul>	<ul style="list-style-type: none"> <li>Approve unlimited staff budget virements</li> <li>Approve virements up to £20k for other budgets</li> </ul>
Head of School / Deputy Headteacher	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>Cheque / BACS approver / signatory</li> </ul>	<ul style="list-style-type: none"> <li>Authorise monthly payroll</li> <li>Approve purchase orders up to £10k</li> <li>Certify goods receipt and authorise invoices for payment**</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>
CFO / Business Manager	<ul style="list-style-type: none"> <li>Prepare and submit returns (inc VAT)</li> <li></li> </ul>	<ul style="list-style-type: none"> <li>Cheque / BACS approver / signatory</li> </ul>	<ul style="list-style-type: none"> <li>Approve purchase orders up to £10k</li> <li>Certify goods receipt and authorise invoices for payment**</li> <li>Authorise monthly payroll***</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>

\* All cheques/BACS approval must have two signatories. These provisions apply to all accounts, public or private, operated by or on behalf of the Trust. Authorised signatories must not sign a cheque / authorise a payment relating to goods or services for which they have also authorised the expenditure.

\*\* Any person who receives goods and certifies invoices for payment shall be independent of those who negotiated prices and terms and placed the official order

\*\*\* There needs to be a separation of duties between processing payroll adjustments and authorising payroll; if the CFO is to process adjustments then authorisation needs to be by a HoS/DHT.

## Appendix Six: Policy grid

Theme	Policy	Current policy / procedure			Future policy / procedure			Process for review			Notes
		Statutory?	Policy on web?	Last approved at Manor	Single for trust	Parts A and B *	Per school	BSAT review date	Staff review lead	Future policy approved by	
Governance	Single Central Record	Y		Dec 16	Y		Monthly check	Termly meeting	CEO/HoS	Trust	Consistent template
Governance	Register of Interests	Y	Y	Sept 16			Annual for LGB	Annual		Trust	Annually or as changes for each individual
Governance	Scheme of Delegation (including committees and Terms of Reference)	Y		Sept 16	Y				CoT	Trust	
Governance	Financial Procedures / Accounting policies (including investment / treasury, Governor / Trustee allowances, donations, anti-fraud, anti-bribery, procurement)	Y		Jan 17	Y				CFO	Trust	
Governance	Charging and Remissions	Y	Y	Nov 16	Y			Autumn 2017	CEO	Resources	
Governance	Gifts and Hospitality			July 16	Y			Autumn 2017	CEO	Resources	
Governance	Lettings		Y	Jan 16	Y			Spring '18	CEO	Resources	
Governance	Health and Safety Policy	Y	Y	Brent	Y				CEO	Resources	
Governance	Complaints	Y	Y	April 16	Y			Summer 2017	CEO	Standards	
Governance	Data Protection and Secure Data Handling	Y		June 16	Y			Summer 2017	IT Lead	Resources	Annual registration

Theme	Policy	Current policy / procedure			Future policy / procedure			Process for review			Notes
		Statutory?	Policy on web?	Last approved at Manor	Single for trust	Parts A and B *	Per school	BSAT review date	Staff review lead	Future policy approved by	
Governance	Business Continuity / Crisis Management / Disaster Recovery / Critical Incident			Oct 15	Y			Summer 2017	Head of Finance	Trust	Adapted for each school
Governance	Equality (including the info / targets, and including accessibility plan)	Y	Y	Oct 16	Y		Access plan for each sch	Autumn 2017	HoS	Standards	Policy every four years; information annually
Governance	Whistleblowing	Y		Brent							
Governance	Freedom of Information publication policy	Y	Y	Brent							
Governance	Accessibility Policy	Y	Y	Autumn 2016			Y	Autumn 2017	HoS	Standards	Annual
Governance	Procedures for Handling Bomb Threats and Bomb Threat Checklist			Brent							
Education	Admissions Policy	Y	Y	Jan 17	Y			Autumn 2017	CEO	Standards	Annually by 28 Feb. One for each school required.
Education	Careers policy			-							
Education	Curriculum Statement			Dec 16			Y	Autumn 2017	HoS	Standards	
Education	Marking and Assessment / Feedback Policy			Sept 16			Y	Autumn 2017	DH Curric	Standards	
Education	SEND and SEND Local Offer	Y	Y	June 16			Y	Autumn 2017	HoS	Standards	Legislation requires GB + annual review
Education	Collective Worship			June 15							

Theme	Policy	Current policy / procedure			Future policy / procedure			Process for review			Notes
		Statutory?	Policy on web?	Last approved at Manor	Single for trust	Parts A and B *	Per school	BSAT review date	Staff review lead	Future policy approved by	
Education	Sex and relationships	Y	Y	April 16			Y	Autumn 2017	HoS/SRE Lead	Standards	
Education	Pupil Premium Grant / FSM – value for money statement	Y	Y	Nov 14			Y	Autumn 2017	PP Lead	Resources	
Education	Homework Policy		Y	January 16			Y	Spring 2018	DH Curric	Standards	
Education	Promotion of British Values	Y	Y	Oct 16	Y			Autumn 2018	HoS	Standards	
Education	ICT Acceptable Use / Social Networking Policy		Y	Sept 15	Y			Autumn 2017	IT Lead	Standards	
Education	Educational Visits Policy			Brent							
Students	Uniform Policy		Y	-			Y	Autumn 2018			Part of prospectus
Students	Attendance (including holidays)		Y	Jan 15	Y				HoS	Standards	
Students	Safeguarding and Child Protection	Y	Y	Sept 16	Y			Autumn 2017	Safeguarding Lead	Resources	
Students	Code of Conduct (including Home – School Agreement)	Y	Y	Jan 16			Y	Spring 2018	DH Pastoral	Standards	
Students	Behaviour and anti-bullying	Y	Y	Jan 17			Y	Spring 2018	DH Pastoral	Standards	
Students	Administration of Medicines in School and Students with Long Term Medical Needs	Y	Y	Oct 2016	Y			Autumn 2017	DH Pastoral		
Students	Drugs Policy	Part of PSHED		Spring 2015			Y	Spring 2018	PSHE Lead/DH Pastoral	Standards	
Students	Prevent Duty / Preventing Extremism and Radicalisation	Y	Y Part of Safeguarding Policy	See Safeguarding							

Theme	Policy	Current policy / procedure			Future policy / procedure			Process for review			Notes
		Statutory?	Policy on web?	Last approved at Manor	Single for trust	Parts A and B *	Per school	BSAT review date	Staff review lead	Future policy approved by	
Staff	Safeguarding Standards Required of Staff	Y		Sept 16	Y						
Staff	Recruitment Policy (including induction / probation)			Brent							
Staff	Pay Policy	Y		Sept 16	Y			Sept 2017	CEO		Annual update
Staff	Staff Disciplinary	Y		Brent							
Staff	Staff Grievance	Y		Brent							
Staff	Statement of Procedures for Dealing with Allegations Against Staff	Y		Brent							
Staff	Appraisal and Capability			Brent							
Staff	Staff Absence Policy			Brent							