

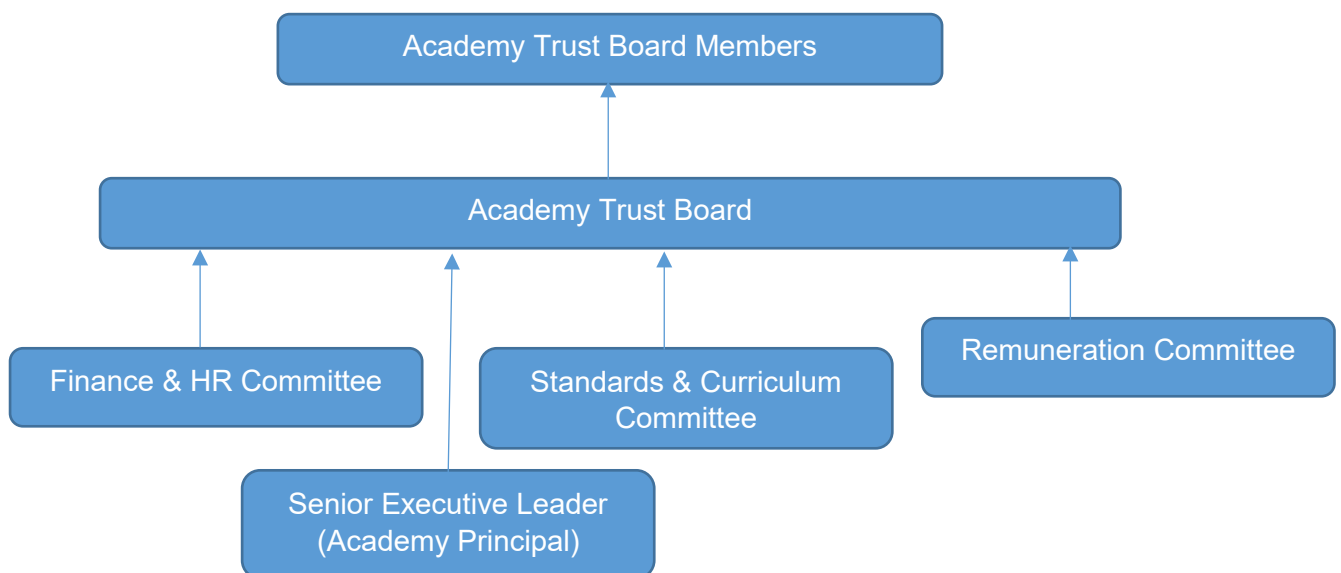
# SCHEME OF DELEGATION

*(Based on the model produced to the National Governors' Association)*

## THE PURPOSE OF A SCHEME OF DELEGATION:

A scheme of delegation (SoD) is the key document defining which functions have been delegated and to whom. It should be a simple yet systematic way of ensuring Members, Trustees, Committees, and individuals are clear about who has responsibility for making which decisions in the Academy. This overarching SoD covering all decision making in the Academy and should not be confused with the written scheme of delegation of financial powers referred to in the Academies Financial Handbook.

## STRUCTURE OF GOVERNANCE ARRANGEMENTS AT THE SUTTON ACADEMY



## GOVERNANCE STRUCTURE AND LINES OF ACCOUNTABILITY:

The Sutton Academy Trust Board delegates responsibility for the day-to-day running of the Academy to the Principal. The Trust Board will hold the Principal to account for the performance of the Academy. The Principal in turn holds other members of the Academy Leadership Team to account by line managing them. While the Trust Board cannot ever delegate its accountability, it can delegate some of the detailed scrutiny, oversight and decision making.

The Principal will report to the Trust Board on the performance of the Academy, although this will be supplemented by the monitoring of the Trust Board's Committees and individual Trustees with any delegated responsibilities.

The Principal is performance managed by the Trust Board.

## **ROLES AND RESPONSIBILITIES:**

### **The role of the Academy Trust Board (Members):**

The Members of the Trust Board have a different status to Trustees. Originally they will have been the signatories to the Memorandum of Association of the Academy, 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 also describes how Members are recruited and replaced.

The Members can appoint Trustees to ensure that the Academy's 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 should submit an annual report on the performance of the Academy to the Academy Trust Board. Members are also responsible for approving any amendments made to the Trust's Articles of Association. In accordance with the Articles of Association and the Education Brief of the Academy, the Sponsor (St Helens College) appoints the majority of the members of the Trust Board.

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 responsible for the general control and management of the administration of the Academy. 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 Academy, 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 Academy and their students, and the performance management of staff
3. Oversee the financial performance of the Academy 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 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 Trust Board Committees are set out in the respective 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 2016 makes it clear that the Board of Governors '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.

*(This is not relevant to The Sutton Academy so the Finance and HR Committee undertakes the audit oversight and the Principal is invited to be 'in attendance' only when any audit matters are under consideration).*

### The role of the Senior Executive leader (the Academy Principal in a single Academy Trust)

The Principal has the delegated responsibility for the operation of the Academy. The Principal is the Accounting Officer so has overall responsibility for the operation of the Academy's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money. The Principal leads the Academy Leadership Team (ALT) of the Academy. The Principal will delegate management functions to the ALT and is accountable to the Members and Trust Board for the performance of the ALT.

### Decision-making Grid:

The following grid contains columns for each layer of governance which enables stakeholders to quickly determine who has the power to take which decisions within the Academy Trust. The grid is in four key areas to reflect both the governance framework and the three core functions of the trust board:

1. The governance framework:
  - a. People
  - b. Systems and structures
  - c. Reporting
2. Being strategic
3. Holding to account
4. Ensuring financial probity.

#### Key

Level 1: Trust Board Members

Level 2: Trust Board

Level 3: Board Committees

Level 4: Individual Trustees

Level 5: Senior Executive Leader ie Principal and Accounting Officer)

Blue box Function **cannot** be carried out at this level.

✓ Action to be undertaken at this level

A Provide advice and support to those accountable for decision making

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual Trustees	Principal
<b>Governance Framework</b>						
People	Members: Appoint/Remove	✓				
	Trustees: Appoint/Remove	✓	✓			
	Role descriptions for Members	✓				
	Role descriptions for Trustees/Chair/ specific roles/Committee members: agree			<A		
	Parent Trustee: elected					
	Committee Chairs: appoint and remove					
	Clerk to Trust Board: appoint and remove					
Systems and Structures	Memorandum and Articles of Association: agree and review	✓	<A	<A		
	Governance structure (committees) for the Trust Board: establish and review annually		✓	<A		
	Terms of reference for Trust Board committees: agree annually		✓	<A		
	Skills audit: complete and recruit to fill gaps		✓			
	Annual self-review of Trust Board and committee performance: complete annually		✓			
	Trustees' performance: periodically reviewed		✓			
	Trustee contribution: review annually		✓			
	Succession: plan		✓			
	Annual schedule of business for Trust Board: agree		✓	<A		<A

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual Trustees	Principal
<b>Reporting</b>						
Reporting	Academy governance details on trust website: ensure		✓	<A	<A	<A
	Register of all interests, business, pecuniary, loyalty for Members/Trustees: establish and publish		✓			
	Annual report on performance of the Academy: 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		
	To determine whether to publish a home school agreement (not statutory)					✓
	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	<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	Committee	Individual Trustees	Principal
<b>Being Strategic</b>						
<b>Being Strategic</b>	Determine Academy policies which reflect the Academy's ethos and values including: admissions; expenses; data protection and FOI; SEN, safeguarding and child protection and curriculum: approve		✓	✓		<A
	Determine Academy's staffing policies which reflect the Academy's ethos and values including appraisal, capability, discipline, conduct and grievance: approve		✓	<A		<A
	Determine Academy's policy for complaints, health and safety, accessibility plan, premises management, data protection and FOI: approve		✓	<A		<A
	Establish Academy's policy for sex education, careers guidance					✓
	Determine a behaviour and discipline policy that promotes good behaviour among pupils and defines the sanctions to be adopted where pupils misbehave		✓			<A
	To draft content of school behaviour policy and publicise it to staff, students and parents.			<A		✓
	To annually determine admission arrangements and to carry out consultation where changes are proposed, or where the Trust Board has not consulted on their arrangements in the last seven years.		✓	<A		
	Ensure a broad and balanced curriculum is in place		✓	<A		<A
	To set the times of school sessions and the dates of school terms and holidays		✓			
	Agree enrichment/extra-curricular offer including any additional services required		✓	✓		<A

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual Trustees	Principal
Being Strategic	Embed 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		✓	✓		✓
	Academy'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
	Principal: Appoint and dismiss		✓			
	To decide whether to join or form a multi-academy trust		<A			
	Budget plan to support delivery of trust key priorities: agree		✓	<A		
	Academy staffing structure: agree		✓	<A		<A
	Appoint teaching staff		<A			✓
	Appoint non-teaching staff					✓

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual Trustees	Principal
<b>Holding to account</b>						
Holding to account	Auditing and reporting arrangements for matters of compliance (eg safeguarding, H&S, employment): agree		✓	<A	<A	<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 <i>Prevent</i> duty into the child protection policy		✓	<A	<A	<A
	Reporting arrangements for progress on key priorities: agree		✓	✓		<A
	Performance management of the Principal: undertake	✓	✓			
	Performance management of staff: undertake					✓
	Establish and review procedures for addressing staff discipline, conduct and grievance		✓	✓		<A
	Trustees monitoring: agree arrangements		✓	<A		
	To review all permanent exclusions and fixed term exclusions where the student 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 student attendance					✓
	To ensure provision of free meals to those students meeting the criteria.					✓
<b>Ensuring financial probity</b>						
Ensuring financial probity	Chief financial officer for delivery of Academy's detailed accounting processes: appoint		✓	<A		
	Trust Board's scheme of financial delegation: establish and review		✓	<A	<A	<A
	External auditors' report: receive and respond		✓	<A		<A
	Principal pay award: agree	✓	✓	<A		
	Staff appraisal procedure and pay progression: monitor and agree		✓	<A		<A



	Benchmarking and Academy's value for money: ensure robustness		✓	<A		
	Develop Academy's procurement strategies and efficiency savings programme			✓		
	To approve the first formal budget plan each financial year	✓	✓	<A		
	To agree annual action plans and monitor how school premiums are spent (i.e. PE and sports premium, Year 7 numeracy and maths catch up premium, service premium and the pupil premium)		✓	✓		
	To establish and agree charging and remissions policy		✓	✓		
	Buildings insurance and personal liability		✓			