

Emmanuel Diocese of Liverpool Academies Trust

Scheme of Delegation

This Scheme of Delegation has been developed to clarify strategic level accountabilities and responsibilities across the Trust. It takes into account the Funding Agreement, Corporate and Charity law, Academy Trust Handbook and other DfE guidance.

The separate Finance Scheme of Delegation sits alongside this to provide detail of delegated financial authorities around key controls. The Governance Handbook includes an extract of responsibilities for the LGBs along with additional practical guidance. The Trust suite of policies detail how business is conducted supported by a Compliance Matrix to act as an aide memoire.

Introduction

The Board of Emmanuel has accountability for ensuring the Trust meets its charitable objectives and responsibility for setting the direction of the Trust, ensuring that it is financially secure, compliant, and delivers the Trust's charitable objects for the benefit of the public. The Board, under the Trust's Articles of Association, may 'delegate such powers and functions as they consider are required by the Accounting Officer/Chief Executive Officer for the internal organisation, management and control of the Academies (including the implementation of all policies approved by the Directors and for the direction of the teaching and curriculum in the Academies). This document reflects the delegations that have been made. The levels of delegation are as follows:

- Board of Directors
- Committees of Board of Directors
- Local Governing Body
- AO/CEO/Exec
- Headteachers.

Where Directors have delegated responsibility for areas they are accountable for, the scope of delegated responsibilities will be documented, along with reporting requirements and when Directors may intervene. Whilst some delegated responsibilities may be further delegated, others, including those of Accounting Officer are for the CEO alone. This document is intended to ensure a consistent approach across the Trust and demonstrate transparency. As far as possible, all academies will have the same levels of decision making, though supported academies will, in some instances, be required to 'defer to the AO/CEO/Exec'

Conflicts

In the event of any conflict between any provision of this Scheme of Delegation and the Articles, the Articles shall prevail.

Review

The Scheme of Delegation shall operate from the Effective Date. The Directors will review this Scheme of Delegation at least on an annual basis and to alter any provision within it. Legislative changes to accountabilities and responsibilities, or changes to delegated powers, will be immediately reflected. In considering any material changes to this Scheme of Delegation or any framework on which it is based, the Directors will have regard to and give due consideration of any views of the Local Governing Boards, the Diocesan Board of Education and the Headteachers' Group.

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A. Summary of Roles:

A Multi Academy Trust has a structure.

At each level there are specific accountabilities and functions which combine to form the leadership of the Trust. This summary outlines the key differences in these roles

Members

Guardians of the governance of the Trust;

- appointing Directors to the Board,
- acting as ambassadors for the Trust,
- removing Directors,
- high level monitoring of the overall effectiveness of the Trust, including its overall education and financial performance
- maintain the Christian distinctiveness of the trust

Monitors/ Receives Reports From: Directors

Directors

Responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the memorandum and articles of association;

- Ensure clarity of vision, ethos and strategic direction
- Hold the executive to account for the educational performance of the schools and their pupils, and the performance management of staff
- Oversee the financial performance of the Trust and make sure its money is well spent
- Legally responsible for compliance with company and charity law

The Trust board will delegate to the chief executive responsibility for the day to day operations of the Trust. The Directors can determine whether to delegate any governance functions.

Reports To: Members

Monitors/ Receives Reports From: Committees/ CEO and LGBs

Board Committee

The Directors may establish committees either with delegated authority to make decisions or for the purpose of

- providing advice and support,
- informing the overall work of the Trust board

Committees are not legally accountable for statutory functions – the Trust board retains overall accountability and the Accounting Office also holds responsibility.

Reports To: Directors

Monitors/ Receives Reports From: CEO, Exec team and LGBs

CEO/AO

The CEO is the accounting officer and responsible for all areas that are encompassed in this role.

They are personally responsible to Parliament and to ESFA for the Trust's Financial Resource.

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:

- Ultimate executive responsibility for delivering excellent educational provision,
- Christian distinctiveness and educational services
- Responsible for leading and development and delivery of the Trust's strategy
- Line manages Central Support Team

Reports To: Directors and Committees

Monitors/ Receives Reports From: Executive Team and Headteachers

LGBs

Oversight of running of the academies in terms of

- Christian Distinctiveness (in Church Schools)
- learning, standards,
- health and safety,
- safeguarding,
- staff wellbeing and
- Holding local academy leadership to account for academic performance, quality of care and provision

Reports To: Directors/ Committees

Monitors/ Receives Reports From: Headteachers

Headteachers

Provide professional leadership for the school/academy, their staff team and pupils by securing its success and improvement

- Ensuring high quality education for all its pupils
- Effective standards of learning and achievement and
- Christian Distinctiveness (in Church Schools)
- Provide leadership and management of the school/academy and its staff including Spiritual Leadership in Church Schools

Reports To: CEO and LGB

Monitors/ Receives Reports From: Academy SLT

B. Operating the Scheme of Delegation

The Scheme of Delegation sets out key activities of the Trust and definitions of key roles and groups

Codes:

R	Means Responsible. The individual that has been delegated responsibility to ensure an activity is undertaken within defined and agreed time, cost and quality constraints; reporting progress as required. In the case of the AO/CEO, this reporting will be at board level. In the case of the Headteacher, this will be at Academy LGB level
A	Means Accountable. The individual that has ultimate accountability for ensuring completion of a task.
S	Means Support. The individual/group who should provide support to those responsible for the task, during the implementation of the task. The individual/group providing support should be ready to give valuable advice and input where applicable.

This Scheme of Delegation will be applied to all academies within the trust as a default scheme.

Through the process of Keeping All Schools Under Review, a school will be informed at least annually of its Support Level. In event that High Levels of Support are required to one of the ten areas of the Scheme of delegation, the scheme may be modified. In this event there will normally be greater oversight and accountabilities given more centrally, either to the Local Governing Board, the CEO/Exec Team, Trustees or Members.

C. Scheme of Delegation

1. Overarching Governance

1.1. Members Matters

-Member matters						
Item		Members	Trust Board	AO/ Exec	LGB	HT
1.1	Amendment of Articles of Association	A	R	S		
1.2	Call Members' Meetings	AR	S			
1.3	Appoint/remove Members and Directors	AR	S			
1.4	Ensure appropriate procedures are in place for the recruitment of Member Appointed Directors	AR				
1.5	Member Register of Interests are completed and keep under regular review	R		A		
1.6	Hold Directors to account for achieving the Trust's objectives, effective governance and working with the law and any guidance on the governance of academy trusts	AR				
1.7	Determine the name of the Trust	AR				
1.8	Appoint Auditors	A	R			
1.9	Receive Statutory Accounts	A	R			
1.10	Dissolve the company	AR	S	S	S	S
1.11	Members/ Directors to complete an Ethos of Undertakings Form?	R	R	A Gov prof		

1.2. Trustees Board Matters

– Board matters						
Item		Members	Trust Board	AO/ Exec	LGB	HT
1.2	Complete/Review Directors Board skills audit and training plan annually		AR			
1.21	Ensure finance skill set on the board		AR			
1.22	Establishing and appointing board committees		AR			
1.23	Nominating Safeguarding Lead Director		AR			
1.24	Nominating SEND Lead Director		AR			
1.25	Establish Audit and Risk committee or function within finance committee, <£50mil		AR			
1.26	Appoint/Remove Chair/Vice Chair of Directors		AR			
1.27	Appoint Clerk to the Directors		AR			
1.28	Appointment of CEO		AR			
1.29	Determine and allocate specific Directors roles		AR			
1.30	Agree Scheme of Delegation and review annually		AR	S	S	S
1.31	Approve Board of Directors Annual Schedule of Business		AR	S		

1.3. LGB Matters

- LGB matters						
Item		Members	Trust Board	AO/Exec	LGB	HT
1.4	Determine LGB composition		AR	S	S	S
1.41	Appoint Chair/ Vice Chair of LGB				AR	
1.42	Allocate governor specific roles				AR	S
1.43	Complete and maintain LGB register of interests				AR	S
1.44	Review of LGB Effectiveness		A		SR	S
1.45	Establish and appointing academy committees		A		R	S
1.46	Setting school improvement plan in line with Trust priorities		A	S	R	R
1.47	Establish and appointing academy committees Establishing and appointing school LGB committees, terms of reference		A		R	S
1.48	Complete LGB Skills Audit			S	AR	S
1.49	Ensure effectiveness of leadership and management in individual academies		A	R	S	
1.50	Ensure the quality of teaching, learning and assessment, personal development and best outcomes for children and learners		A	R	R	R
1.51	Appoint governors to LGB		A	R	R	S
1.52	Setting admission policies		A	S	R	S
1.53	Setting pupil admission numbers		A	R	R	S

2. Strategic Leadership

Strategy and Leadership						
Item		Members	Trust Board	AO/Exec	LGB	HT
2.1	Ensure the Trust is financially viable, run in accordance with its Articles and law and meeting its charitable objectives		A	R	S	S
2.2	Attend trust inspections (OFSTED)		A	R	R	R
2.3	Attend school inspections (OFSTED, SIAMS (if relevant), HSE)		A	R	R	R
2.4	Agree Trust Strategic and Operational Plan, including growth model		A	R	S	S
2.5	Develop the character, vision and ethos of the Trust fostering the individuality of each school		A	R	R	R
2.6	Engaging with parents			S	A	R
2.7	Scrutiny of performance of individual schools		A	R	R	S
2.8	Performance management of CEO		AR			
2.9	Ensure statutory policies are in place, approved and reviewed in line with statute and guidance		A	R	S	S

2.10	Setting governance policies (data protection, information sharing, cyber security, Freedom of Information, HR, complaints, whistleblowing) etc in place		A	R	R	
2.11	Setting Safeguarding Policies (safeguarding and child protection, prevent, looked after children, safer recruitment) etc		A	R	R	
2.12	Setting Trust Safeguarding practices, with regard to statutory guidance, including appointing designated safeguarding lead		A	AR	AS	AS
2.13	Carrying out DBS Schools and LGB				A	R
2.14	Carry out DBS Board of Directors		AR			
2.15	Setting Health and Safety Policies		A	S	R	R
2.16	Ensuring complying with equalities legislation		AR	R	R	R
2.17	Ensure compliance with all regulation, policies and other statutory obligations		A	R	R	R
2.18	Approve and maintain trust risk management processes		A	R	R	S
2.19	Approve and maintain school risk management processes		A	S	R	S
2.20	Formally approve and review non DfE statutory school specific policies		A	S	A	R
2.21	School Development Plans are in place and regularly reviewed			S	A	R
2.22	Set the curriculum in line with the national curriculum and context of the school		A	S	R	R
2.23	Review and challenge the spend of pupil premium/sports funding and recovery funding in terms of educational outcomes and narrowing the achievement gap		A	S	R	S
2.24	Delivering support for looked after children		A		R	R
2.25	Growth and New Schools		AR	S		S
In church schools						
2.26	Ensure that the academy upholds its Anglican Foundations (in previously VA & VC schools)		A	R	R	R
2.27	Ensure collective worship reflects Anglican foundations (in previously VA & VC schools)		A	R	R	R
2.28	Ensure a context specific theologically rooted Christian Vision is in place and its impact is regularly reviewed (in previously VA & VC schools)		A	R	R	R
2.29	Ensure a context specific Vision is in place and its impact is regularly reviewed (in previously community schools)		A	R	R	R

3. Education

3. Education						
Item		Members	Trust Board	AO/Exec	LGB	HT
3.1	Implementing Admission Policies and decisions		A	S	R	R
3.2	Setting approach to curriculum and assessment, with regard to statutory requirements		AR	R	R	R
3.3	Setting and delivering school curriculum and assessment in line with trust approach			S	AR	R
3.4	Developing curriculum policies as required by schools (religious education, relationships, sex and health education, collective worship)			S	AR	R
3.5	Delivering Early Years Foundation Stage (EYFS), in line with statutory requirements		A	S	R	R
3.6	Delivering careers guidance, with regard to statutory requirements		A	S	R	R
3.7	Ensure compliance with SEND Code of Practice		A	S	R	R
3.8	Review and evaluate school performance		A	R	R	R
3.9	Production and analysis of educational data		A	R	R	R
3.10	Evaluate the school self-evaluation and set key priorities for School Improvement Plan		A	S	R	R
3.11	Agree term dates and length of school day			S	A	R
3.12	Sets the school curriculum ensuring requirements of National Curriculum are met.		A	S	R	R
3.13	Monitor the effectiveness of teaching, learning and pedagogy			A	R	R

4. Behaviour, Attendance & Inclusion

4. Behaviour, Attendance and Inclusion						
Item		Members	Trust Board	AO/Exec	LGB	HT
4.1	Ensure pupil attendance is monitored and challenged in line with national guidance			A	A	R
4.2	Keeping admissions and attendance registers		A	R		R
4.3	Fixed term or permanently exclude a pupil			S	S	AR
4.4	Review the decision to permanently exclude a pupil/direct reinstatement of a pupil				AR	
4.5	Ensure an appropriate behaviour curriculum is in place			S	R	R
4.6	Setting behaviour and welfare policies (behaviour, exclusions)			S	AR	R

4.7	Setting approach to directing pupils' offsite, exclusions		A	R	R	R
4.8	Emergency closures of individual schools day 1				S	R
4.9	Monitor and take action regarding Mental Health and Well Being of pupils			S	R	R

5. Finance

5. Finance						
Item		Members	Trust Board	AO/Exec	LGB	HT
5.1	Appointment of the Accounting Officer and inform the Secretary of State		AR			
5.2	Appointment of the CFO/FD		AR	S		
5.3	Appoint external auditors	AR				
5.4	Setting delegated authority limits for financial transactions		AR			
5.5	Setting and monitoring overall trust budget		AR	R		
5.6	Setting individual academy budgets		AR	S	R	
5.7	Monitoring individual academy budgets		AR		R	R
5.8	Delivering monthly management accounts and forecasts		A	R		R
5.9	Managing cash positions		A	R		R
5.10	Delivering annual report accounts, with regard to accounts consolidation exercises required by DFE		A	R		
5.11	Ensure adequate insurance cover is in place		AR			
5.12	Ensure Trust's continuing compliance with all requirements of DfE and Funding Agreement		A	R		
5.13	Agree Investment policy in line with the Academies Handbook		A	R		
5.14	Agree the financial charging model for academies		AR	S	S	S
5.15	Approval of Special Payments per ESFA including staff severance and compensation payments		AR	S		
5.16	Approval of novel or contentious transactions - which always must be referred to the ESFA for prior authorisation		AR	S		
5.17	Approve a scheme for paying Governors allowances		AR			
5.18	Ensure the Trust is adequately insured (RPA) inc. Relevant approvals on indemnities		A	R		
5.19	Review and approve a financial policies e.g. Charging and Remissions policy, procurement for the Trust for the academies		A	R		
5.20	Approval of capitalisation limits and depreciation policy for the Trust		AR	S		
5.21	Allocation of locally generated income		A	S	R	R

5.21	Ensure sufficient capacity and expertise to manage the finances of all academies		AR			
5.22	Ensure Pupil Premium, sports and other funding are used in accordance with DFE grant conditions including compiling impact report		A	S	R	R
5.23	Prepare and recommend a 3-year school budget taking advice and guidance from Exec Team and CFO/DCFO		A	S	R	R
5.24	School setting a deficit budget- Prepare a recovery plan		A	A	S	R
5.25	Monitor progress of individual school's deficit recovery plan		A	AR	S	S
5.26	Proposals to use reserves		A	AR	R	S

6. Compliance

6. Compliance						
Item		Members	Trust Board	AO/Exec	LGB	HT
6.1	Agree the annual audit program and recommend to Directors		A	R		
6.2	Establish internal controls framework including internal audits		AR	R	S	R
6.3	Managing conflicts of interest and related party transactions		AR	R	R	R
6.4	Receive External and Internal Audit Management letters and findings reports		A	R	S	R
6.5	Ensure all points raised from Annual Audit Management reports are actioned and provide Board with assurance		A	R	R	R
6.6	Investigate any financial irregularities and report to Trust Board		A	R	R	R
6.7	Investigate financial irregularities at Trust Board level	A		R		
6.8	Agree Trust Policy delegation list		A	S		
6.9	Maintain risk register, oversight of strategic risk		A	R		
6.10	Oversight of school level risk				AR	R

7. Estates

7. Estates						
Item		Members	Trust Board	AO/Exec	LGB	HT
7.1	Ensure that building and grounds remain Health & Safety compliant		A	S	R	R

7.2	Recommend H&S policy as required by law for approval by the Board of Directors		AR	S	S	S
7.3	Ensure the Estates Strategy is fit for purpose and recommend to the Board		A	R		
7.4	Ensure inventory systems are maintained		A			R
7.5	Disposal of non-land fixed assets			S	S	R
7.6	Disposal of assets (land and buildings)		R	S		
7.7	Premises maintenance programme		A	R	S	S
7.8	Develop a 10-year IT and estates strategy		A	R	S	S

8. Human Resources

8. Human Resources						
Item		Members	Trust Board	AO/ Exec	LGB	HT
8.1	Approval and appointment of the Executive Team		A	R		
8.2	Approve new posts to the structure where they fall outside of agreed budgets		AR	S		
8.3	Approving the dismissal of CEO, FD, Exec staff		AR			
8.4	Disciplinary/capability Exec Team		AR			
8.5	Appoint Headteachers		A	R*	R	
8.6	Disciplinary/capability and dismissal of Headteachers		A	R	R	
8.7	Approve the appointment of senior leaders (deputy headteachers, assistant heads etc) in schools		S	R(A*)	AR	R
8.8	Changes to terms and conditions of employment		A	R	S	R
8.9	Setting/Approve HR Policies		AR	S	S	S
8.10	Setting approach and undertaking MAT CEO appraisal and performance management		AR	S	S	
8.11	Setting approach and undertaking Headteacher appraisal and performance management		A	S	R	
8.12	Setting approach and undertaking teacher appraisal and performance management (not HT)		A		R	S
8.13	Setting executive pay		AR			
8.14	Moving of staff within the Trust to meet local need (staff will have a school location)		AR	S	S	R
8.15	Setting pay levels, awarding pay rises and any other appropriate remuneration for staff on leadership contracts		A	R	R	R
8.16	Setting pay levels/ awarding pay rises and any other relevant remuneration to an individual within an individual academy for teaching and non-teaching staff in line with the Trust Pay Policy			S	R	AR
8.17	Monitor and take action with regard to Mental Health and Well Being of Staff			S	R	R

8.18	Monitor and take action with regard to the Mental Health and Well Being of CEO/AO	A	R			
8.19	Disciplinary/capability school staff		A	S	R	R
8.20	Dismissal of non-leadership school staff			S	R	R
8.21	School staff appointments exception of senior leaders				R	R

9. Communications

9. Communications						
Item		Members	Trust Board	AO/Exec	LGB	HT
9.1	Ensure MAT website is compliant with national regulation		A	R		
9.2	Ensure individual school websites are compliant with national regulations			S	S	R

10. Safeguarding

10. Safeguarding						
Item		Members	Trust Board	AO/ Exec	LGB	HT
10.1	Ensure Safeguarding Annual Report is filed with the Trust		A	R	S	S
10.2	Ensure local DSLs, procedures and policies are in place and implemented in line with local safeguarding boards- peer-to-peer abuse, gender issues, allegations against teachers and other staff			A	R	R
10.3	Nominate a safeguarding lead director		AR			
10.4	Nominate a safeguarding governor on LGBs				AR	
10.5	Carry out disclosure and barring service checks DBS, 128			AR		AR