



## **Scheme of Delegation of Authority 2020/21**

The Scheme of Delegation of Authority (SoDA) is bespoke to each Academy and is based on the assumption that an academy is operating to a minimum acceptable standard both educationally and financially. This may be irrespective of current Ofsted grading. The Trustees have the right to remove this level of autonomy for the benefit of the overall Trust should there be concerns about the performance of the academy.

Note: Although decisions may be delegated the Trustees remain responsible for any decision made under delegation.

<b>Policy reviewed and adopted by Trustees</b>	<b>January 2020</b>
<b>Review frequency</b>	<b>Annually</b>
<b>Date of next review</b>	<b>January 2022</b>
<b>Responsible Officer</b>	<b>CEO</b>

## 1. Introduction

- 1.1. This Scheme of Delegation applies to all academies run by the Company.
- 1.2. The Trustees are accountable to external government agencies including the Charity Commission, Companies House and the Department for Education (including any successor bodies) for the quality of education they provide and they are required to have systems in place through which they can assure themselves of quality, safety and good practice. Under the Trust's Articles of Association, the Trustees control the management and administration. The Trustees have responsibility for directing its affairs, and for ensuring that it is solvent, well-run, and delivering the Trust's charitable objects for the benefit of the public.
- 1.3. In order to discharge these responsibilities, the Trustees appoint people who are more locally based to serve on committees (the "Local Advisory Committees") which are established to ensure, on behalf of the Trustees, the good governance of the individual academies. The Local Advisory Committees are established by the Trustees and are at all times subject to any directions the Trustees may give.
- 1.4. This Scheme of Delegation explains the ways in which the Trustees fulfil their responsibilities for the leadership and management of the academies, the respective roles and responsibilities of the Members, Trustees, Governors of the Local Advisory Committees, the Chief Executive Officer (CEO) and the Headteacher/Head of School and the commitment to each other to ensure the success of each academy.
- 1.5. It is intended that a Local Advisory Committee shall be established for each Academy. For the avoidance of doubt a Local Advisory Committee may have delegated responsibility for more than one academy.
- 1.6. The levels of delegation (see annex A for full governance structure) are as follows:
  - Board of Trustees (including any sub committees)
  - Local Advisory Committee
  - CEO – the CEO may delegate activities to other Trust employees
  - Headteacher
- 1.7. Certain decisions and actions in respect of the Company and the academies are reserved to the Trustees. In general terms responsibility for the local strategy, management and operations for each academy will be delegated to a Local Advisory Committee.
- 1.8. This Scheme of Delegation has been put in place by the Trustees from the effective date in accordance with the provisions of the Company's Articles of Association (the "Articles") and it should be read in conjunction with those Articles. References in this Scheme to numbered Articles are to the relevant clause of the Articles.
- 1.9. The majority of delegations in the document are in relation to the financial affairs of the Trust and this document should be used in conjunction with the Financial Regulations of the Trust, Financial Procedures of the individual academies and the Academies Financial Handbook. Other delegations include:
  - Strategy and Leadership
  - HR/Staffing
  - Education
  - Asset Management
  - Estates

## **2. Ethos and Trust Commitment**

### **PROSPER aims to secure and develop an holistic provision for vulnerable students**

*We will treat every student as an individual, with personalised learning programmes designed to meet their learning, personal, social and emotional needs and the impact of their medical/mental health condition and linked behaviours on their ability to learn*

- 2.1. Each academy will have its own mission/vision and development plan agreed by the Trustees which the Local Advisory Committee will implement and monitor with academy leadership.
- 2.2. Academies within the Company will work with each other in a co-operative and supportive manner; sharing expertise and specialisms. Academies within the Company will engage with other local schools and partners in order to ensure the best possible provision for children and families within a community.

## **3. Conflicts**

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

## **4. Annual review**

- 4.1. The Scheme of Delegation shall operate from the Effective Date and shall in respect of each Academy.
- 4.2. The Trustees will have absolute discretion to review this Scheme of Delegation at least on an annual basis and to alter any provision of it.
- 4.3. In considering any material changes to this Scheme of Delegation or any framework on which it is based, the Trustees will have regard to and give due consideration of any views of the Local Advisory Committees.

## **5. The role of Members**

Trust Members have limited but very important powers within their remit. The main powers and rights include:

- Appointment of other members
- Change of name of the Trust
- Amendment of the Articles of Association
- Appoint and remove Trustees / Alterations to the governance structure
- Approve the appointment of the external auditors
- Receive the annual report and accounts from the Board
- Approve any service contracts with Trustees in accordance with the articles
- Give directions by special resolution to the Board
- Wind up the Trust

Area	Task	Approval Level					
		M	BoT	CEO	Unsupported		
					LAC	HT	
Governance	1	Vary the Articles of Association	●	←			
	2	Changes to the SoDA		●	←		
	3	Appoint or Remove Trustees to the Board	●	←	←		
	4	Accept requests from other schools to join the Trust		●	←		
	5	Accept proposal to open a free school		●	←		
	6	Accept proposals for significant changes to an Academy (with RSC approval where required)		●	←	←	←
	7	Appoint the Chair of the Board, vice chair and Trust sub-committee chairs		●			
	8	Set Terms of Reference for the Trust Board and sub-committees		●	←		
	9	Appoint Chair of the Academy Local Advisory Committee		●	←	←	
	10	Remove Chair of Academy Local Advisory Committee		●	←		
	11	Appoint or remove members of the academy's Local Advisory Committees			●	←	←
	12	Elect staff and parent governors				●	←
	13	Set Terms of Reference for the LC		●	←	←	
	14	Review performance of LCs and report to the board		●	←	←	←
	15	Implement a Governance Accountability Cycle		●	←		
	16	Appoint a Chief Executive Officer (CEO)/Accounting Officer		●			
	17	Appoint a Finance Director		●	←		
	18	Appoint or remove a Company Secretary		●	←		
	19	Appoint Clerk to the Trust board and Local Advisory Committees		●	←		
	20	Appoint external auditors for trust	●	←	←		
	21	Appoint internal auditors or Responsible Person via Finance Audit and Risk Committee		●	←		
	22	Appoint a Trust Achievement Partner		●	←		
	23	Set up Register of Business Interests for members, trustees, local advisory committee members and all staff. Report on Companies House. Annually review.			●	←	

Area		Task	Approval Level				
			M	BoT	CEO	Unsupported	
						LAC	HT
	24	Set up an Expenses Scheme for all Members, Trustees and Governors		●	←		
	25	Implement a training programme for Members, Trustees & Governors	→	→	●	←	←
Strategy and Risk Management	26	Setting of overall strategic direction of the Trust		●	←	←	←
	27	Setting Visions & Values of the Trust		●	←	←	←
	28	Setting KPIs and Strategic Objectives for the Trust		●	←		
	29	Produce a Trust Development Plan (timescale agreed with Trustees)			●		←
	30	Accept and review progress of Trust Development Plan		●			
	31	Set the Risk Strategy and Risk Appetite for the Trust including setting Risk ratings		●	←		
	32	Responsibility for monitoring of the Risk Action Plan via the Finance Audit and Risk Committee		●	←		
	33	Setting KPIs and Strategic Objectives of an individual academy			→	→	●
	34	Produce an Academy Development Plan			→	→	●
	35	Review progress across trust of all Academy Development Plans			●	←	←
Admissions	36	Changes to Admission Policy (including consultation required)		●	←	←	←
	37	Changes to Pupil Admissions Numbers		●	←	←	←
	38	Approve admissions policy on an annual basis (autumn term assuming no changes)				●	←
Central Services	39	Determine the scope of central services delivered by the MAT and associated central charge		●	←		←
	40	To ensure centrally provided services provide value for money		●	←		
Curriculum	41	Responsibility for standards in Teaching and Learning				→	●
	42	Curriculum Policy			●	←	←
	43	Collective worship arrangements for academy without religious character				→	●
	44	Provision of Relationships Education Policy				→	●
	45	Monitor individual pupils' progress				→	●
	46	Accountability and responsibility for individual pupil education and achievement				→	●

Pupil Discipline and Exclusion	47	Behaviour/Relationships policy			●	←	←
	48	Exclude a pupil for more than 15 days or permanently			→	→	●
	49	Review exclusion upon appeal				●	
Finance	50	Set Trust budget plans for the financial year		●	←		
	51	Set Academy budget for financial year		●	←	←	←
	52	Monitor Trust budget/management accounts monthly		●	←		
	53	Monitor Academy budget and expenditure a minimum of once a term			→	●	←
	54	Set Trust central charge		●	←		
	55	Establish all financial policies		●	←		
	56	To agree signatories for budget holders in each Academy		●	←	←	←
	57	Financial reporting to Trustees and KPIs including <ul style="list-style-type: none"> <li>Preparation of monthly accounts</li> <li>Scrutiny of financial planning</li> <li>Ensuring regularity and propriety and value for money</li> </ul>			●		
	58	To set the Financial Control limits for the trust (see Financial Management Policy)		●	←		
	59	Individual academies to adhere to the Financial Control Limits for the Trust				→	●
	60	To adhere to the Financial Control Limits for the Central Trust			●		
	61	To approve the End of year accounts from the external auditor		●	←		
	62	To receive the End of year accounts from the external auditor	●	←	←		
	63	Ensure related party transactions are communicated to the ESFA and approval sought if over £20K			●		
64	Acquiring and disposing of Trust land (disposal must be approved by Secretary of State)		●				
Health and Safety	65	Maintain a Risk Register		●	←		
	66	Maintain a Trust business continuity plan		●	←	←	←
	67	Propose and approve Trust Health and Safety Policy (including Fire Evacuation Procedures)		●	←		
	68	Implement Health and Safety Policy with local procedures and report risks and issues to the CEO				●	←
	69	Report data breaches to the ICO within 72 hours of an incident occurring			●		←

Policies and Practices	70	Set Trust policies (see appendix 1)		●	←		
	71	Set Academy policies				●	←
	72	Set the annual pay policy		●	←		
	73	Set the annual staff appraisal policy		●	←		
	74	Provision of appropriate buildings and other insurance (including all liability cover)		●	←		
	75	Develop a trust capital strategy			●		
	76	Develop an Academy Maintenance Strategy			→	●	
	77	Communications & implementation of core policies as part of induction and annual updates as necessary (inc whistleblowing / complaints and safeguarding)					●
Safeguarding	78	To set a Trust safeguarding policy		●	←		
	79	To reference and implement local safeguarding procedures in line with Trust policy				●	←
	80	Complete and maintain a Trust Single Central Record			●		←
	81	Appoint Health and Safety link Trustee (incorporating Safeguarding)		●			
	82	Appoint Health and Safety link committee member (can be combined with other link role)				●	
	83	Appoint a safeguarding committee member				●	
Academy meals	84	Monitor and ensure food and drink nutritional standards are met				●	←
	85	Ensure provision of Free School Meals to those students meeting the criteria				●	←
Academy Organisation	86	Set Academy day, term dates and holidays		●	←	←	←
	87	Trust Media and PR – overseeing public relations activities to project the activities of the Trust			●		
	88	To ensure the Trust website is fully compliant			●		
	89	To ensure each academy website is fully compliant					●
	90	Adoption and review of Home-Academy Agreement				→	●

Personnel/Staffing	91	Executive Head / Headteacher appointments			●	←	
	92	Attendance on panel for appointment of Executive Head / Headteacher		●			
	93	Head of Academy appointments			→	→	●
	94	Attendance on panel for appointment of Head of Academy			●		
	95	Appoint senior leaders in academies				→	●
	96	Attendance on panel for appointment of Academy senior leaders				●	
	97	Appointment of any other staff in academies				→	●
	98	Approve Academy staffing structure			●	←	←
	99	Approve in year changes to Academy staffing structure			●		←
	100	Approve changes to trust staffing structure		●	←		
	101	Appointment of trust staff who directly support the Central team		→	●		
	102	Performance review of the CEO/CFO		●			
	103	Suspend/dismiss the CEO/CFO		●			
	104	Hear appeal to the dismissal of CEO/CFO		●			
	105	Approve pay scale of the CEO/CFO		●			
	106	Performance review of Central Staff			●		
	107	Performance review of Executive Headteacher / Headteacher			●	←	
	108	Performance review of Head of Academy				→	●
	109	Suspend/dismiss a trust staff member who directly supports the Central Team			●		
	110	Hear appeal to the dismissal of trust staff who directly supports the Central Team		●			
	111	Suspend/dismiss an Executive Headteacher/Headteacher			●	←	
	112	Hear appeal to the dismissal of Executive Headteacher/Headteacher		●			
	113	Suspend/dismiss a Head of Academy				→	●
	114	Hear appeal to the dismissal of Head of Academy				●	
	115	Suspension/dismissal of all other academy staff				→	●
	116	Hear appeal to the dismissal of all other academy staff				●	



	117	Approve any dismissal/severance/compensation payments		•			
	118	Performance review of all Academy staff (excluding Executive Headteacher/Headteacher/Head of Academy)					•

**Key**

•	Approve
←	Propose
←	Advise

M	Members of the Trust
BoT	Board of Trustees
CEO	Chief Executive Officer
LAC	Local Advisory Committee
HT	Executive Headteacher/ Headteacher

**ANNEX A – Governance Structure**

